BUILDING A DIGITAL FUTURE: GOVERNANCE, SMART CITIES AND DIGITAL RIGHTS IN A GLOBALIZED WORLD

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Abstract:
Digital transformation is one of the most profound processes of reconfiguring contemporary societies, with a major impact on the way public administrations, cities, and citizens' rights are designed. This article explores, from an interdisciplinary perspective - legal, technological, sociological, and administrative - the evolution of digital governance in the context of globalization and the emergence of smart cities.
We analyse the EU regulatory framework that completes the digital picture of the future of governance, including the Digital Services Act, the Digital Markets Act, the Regulation on Electronic Identification and Trust Services (eIDAS Regulation), the AI Regulation, as well as the European Declaration on Digital Rights and Principles, documents establishing the legislative architecture of a people-centred digital transformation, fundamental rights, cross-border electronic transactions, online services, e-commerce platforms, blurring from the barriers that prevent the smooth use of trust services and electronic identification in all EU Member States. They are designed as regulations that function as a "genetic code" of the Union digital ecosystem, a code that encompasses a set of principles that shape how technology serves, but does not dominate the society.
Keywords: *digital governance, digital rights, digital services, smart cities, European Declaration on Digital Rights and Principles, Digital Services Act (DSA), Digital Markets Act (DMA), Digital Governance Summit 2025.*

INTRODUCTION

In the age when data has become the new energy of the world, and technology has turned borders into mere invisible lines on a digital map, societies are looking for a new sense of organization. Digital governance thus emerges as an architecture of the

future, a bridge between the needs of the citizen and the ability of the State to respond quickly, ethically, and transparently in a constantly changing world.

The contemporary world is in an accelerated process of transformation, driven by the intersection of globalization, technological innovation, and the need for more efficient, transparent and citizen-friendly administrative models. In this structural change, digital governance is no longer just a theoretical concept, but becomes the foundation on which public institutions, national economies and the very experience of citizenship are rebuilt.

1. THE CONCEPT OF THE SMART CITY

Cities, spaces where population, economic flows, critical infrastructures, and data networks are concentrated, become the main actors in this process. The emergence of smart cities is not only the result of the application of technology, but the expression of a new administrative philosophy, shaped by the use of data, artificial intelligence, interoperability, and digital infrastructures to create communities that are more efficient, resilient, and more oriented towards the real needs of the inhabitants. In this context, digital governance involves a set of mechanisms that bring together legislation, ethics, technology, and civic participation in an integrated model of public governance.

The concept of a smart city goes beyond the idea of a modern infrastructure. A smart city is a living, fluid ecosystem, in which mobility becomes predictive, public services become transparent, energy is optimized, and urban space is governed not only by material infrastructures, but also by invisible infrastructures: networks, algorithms, information nodes. At the heart of this model is not the technology itself, but the citizen, with his or her digital rights, with his or her needs for access, inclusion, and protection.

A smart city involves smart mobility, integrated transport systems, traffic management, green transport, smart energy through energy efficiency, smart metering, green infrastructures, digital public administration through end-to-end online services, electronic payments, rapid interaction with institutions, digital health through telemedicine, electronic records, alert systems, connected education, through e-learning platforms, digital infrastructures in schools, smart urban security, through sensors, monitoring, integrated prevention or community participation systems, through applications through which citizens can report problems, vote consultatively, propose

projects, etc. However, these processes raise important questions related to data ethics, privacy, democratic scrutiny and digital fairness, challenges that will be discussed in the following chapters.

2. DIGITAL GOVERNANCE: A MERE ADMINISTRATIVE CONCEPT OR AN INVITATION TO THE RECONSTRUCTION OF SOCIETY?

The phenomenon of digitization seen from the perspective of public administration, concerns three levels of interference[1]: the digitization of communication between the administration and citizens, the creation of a new mode of administrative, collaborative action, which envisages a greater involvement of the public in the elaboration of the administrative decision, and last but not least, the redefinition of the participation of citizens in the elaboration of the administrative decision, through public consultation.

At the heart of digital governance are features such as interoperability, representing the ability of institutions to communicate with each other through integrated systems, the existence of open data through free access to public information, resulting in transparency and innovation, automation and artificial intelligence, which optimize administrative processes, digital participation, by involving citizens in decisions through collaborative platforms, but also digital identity, the key to access efficient and personalized services.

Thus, digital governance implies a reconfiguration of the State's obligations towards the citizen, in the sense of ensuring digital access to services, guaranteeing data protection, maintaining cybersecurity, online decision-making transparency and ensuring non-discriminatory treatment in access to digital services.

As stated by the Organisation for Economic Co-operation and Development (OECD), digital governance explores and supports the development and implementation of strategies and initiatives that bring governments closer to citizens and businesses. It recognises that technology is a strategic factor not only for improving the efficiency of the public sector, but also for increasing the efficiency of policies and for making governments more open, transparent, innovative, participatory, and trustworthy. [2]

According to the OECD, digital governance is becoming the key to transforming government processes and services in ways that improve the responsiveness and

reliability of the public sector. In fact, during the COVID-19 pandemic, it has also proven crucial for the ability of governments to continue operating in times of crisis and to provide prompt services to citizens and businesses. However, for the digital transformation to be sustainable in the long term, solid foundations are needed, including adaptable governance mechanisms, a reliable and resilient digital public infrastructure, and a forward-looking approach to governance with emerging technologies such as artificial intelligence. The OECD Digital Government Investments Framework provides valuable guidance to help governments strengthen their governance, manage risks and pursue results-oriented investments. [3]

As public administrations adopt AI-powered solutions, digital ethics is becoming a central pillar of the global debate. Thus, algorithms can bring efficiency, but they pose challenges, and digital ethics implies transparency and accountability, meaning that public institutions remain responsible for decisions made with algorithmic support. From this perspective, the European Union has established itself as one of the most important architects of an ethical and responsible digital transformation. We can say that the EU legislator has developed in recent years some of the most robust public policies on digitization, placing fundamental rights at the heart of the digital transformation.

In conclusion, we believe that digital governance is not just an administrative concept, but an invitation to rebuild society, to redefine the relations between the State and the citizen and to reconceptualize cities as interconnected bodies.

3. DIGITAL GOVERNANCE IN THE EUROPEAN UNION'S VISION: PRINCIPLES, OBLIGATIONS AND LEGAL ARCHITECTURE

The digital transformation of public administrations and the development of smart cities cannot be understood without an in-depth analysis of the Union's regulatory architecture. Over the past decade, the European Union has built one of the most coherent and advanced human-centric digital space legislative systems, in which technology is put at the service of protecting fundamental rights, fair competition and good governance.

Thus, to ensure a fair and inclusive digital society, with respect for democracy (e-democracy or Internet democracy), it remains essential to focus the digital revolution on

people, with the *Declaration on Digital Rights and Principles [5]* being adopted at the European Union level in 2022, which protects and promotes Union values in the digital environment.

This Declaration represents a “flagship” contribution of the European Union to the complex process of constitutionalization of the digital society, becoming a point of reference for regional and international organizations as well. In this regard, we recall the Council of Europe’s International Framework Convention on AI [6], the OECD Declaration on a “reliable, sustainable and inclusive digital future" [7], launched in 2022, or the UN Global Digital Compact, adopted on 22 September 2024 by the UN General Assembly as part of the Pact for the Future [8], together with the Declaration on Future Generations, instruments that redefine the digital future and revolutionize the matrix of fundamental human rights and freedoms.

In the European Union, digital rights are conceived as an extension of the fundamental rights already enshrined: the right to privacy (Article 7 of the EU Charter), the protection of personal data (Article 8 of the EU Charter), freedom of expression, freedom of movement (including the movement of data), non-discrimination and equal treatment.

This set is extended by modern digital policies that enshrine new rights such as the right to digital identity, the right to cybersecurity, the right to algorithmic transparency (AI Act), the right to data portability (GDPR), or the right to secure and non-discriminatory connectivity (European Electronic Communications Code [9]).

These “extended rights” protect the citizen in the digital environment just as classical rights protect them in the physical environment. Smart cities, such as Tallinn, Helsinki or Barcelona generate huge amounts of data on mobility, energy consumption, urban behaviour, use of public services and social interactions, and without a robust framework of rights, this ecosystem can lead to excessive surveillance, discrimination, cyber vulnerabilities or power asymmetry between the citizen and the administration.

In this section, we aim to capture, in a non-exhaustive manner, the main EU normative instruments that structure the European digital ecosystem, because we are now more aware than ever that we are in the midst of a digital (r)evolution or artificial intelligence revolution, which asserts its supremacy through interdisciplinary and cutting-

edge technological advances such as humanoid robots, cyberspace, cloud computing, blockchain, the "Internet of things", quantum communication, Big Data, ChatGPT, computer security or the so-called metaverse, which are developing a new, virtual world, the human-machine interaction becoming more and more complex and deeper. This "augmented reality" has led to the extension of physical space, currently complemented by digital space, all social relations thus acquiring an obvious hybrid nature, in which the physical sphere is intertwined with the digital sphere, and the digital sphere cannot automatically be applied to classical legal norms and institutions.

Putting people at the centre of the digital transformation of societies and economies outlines the core of the European Union's vision, highlighted on the one hand in the overall policy programme of the Digital Decade [10] and in the European Declaration on Digital Rights and Principles on the other. Of course, Member States have stepped up their efforts to raise awareness of the relevance of a digital transformation, but they have made rather slow progress in translating fundamental rights into the digital sphere through concrete and tangible policies.

The EU Declaration on Digital Rights and Principles is a kind of "beacon" on the road to promoting rights, but also in advancing measures to transpose fundamental rights into the digital sphere. We are talking about traditional rights that can be activators for the development of new rights, found only in the virtual world, the Declaration offering elements of novelty in analysis and reflection on the interpretation of the corollary of existing rights and freedoms, vulnerable by the path of technology and artificial intelligence.

The doctrine speaks of a possible structuring of the fourth category of human rights, namely "digital human rights in the context of AI challenges" [11], including the human right to the beneficial use of artificial intelligence, the primordial right to exist of man as a species among species, the human right and responsibility to control an AI, the right to security from the risks of AI technologies or the right and duty to use AI to the common good.

In this context of recognising the importance of digitaization and the need to ensure clear rights and principles in the field, the European Commission has taken on the ambitious political agenda of the Digital Decade 2030. This program is a proactive

response to the challenges and opportunities that the digital age brings, through which areas such as digital education, personal data protection, cybersecurity, and digital inclusion are addressed.

Thus, we can say that the European Union is a pioneer in shaping the legislative premises of digitization, on 09 March 2021 the Commission presented the vision for the digital transformation of Europe as a mission to be achieved by 2030 in the communication called: "*2030 Digital Compass*: *The European path for the Digital Decade".* Subsequently, in January 2022, the Commission developed the Declaration on Digital Rights and Principles, with an agreement only reached between it, the EU Parliament, and the Council in November 2022, following the 'Special Eurobarometer' survey and an open public consultation, in which 8 out of 10 EU citizens considered it useful for the EU to define and promote a common European vision on digital rights and principles. The Declaration builds on Member States' previous package of digital initiatives, such as the Tallinn Declaration on e-Government, the Berlin Declaration on Digital Society and Values-Based Digital Governance and the Lisbon Declaration on Digital Democracy.

Of course, the Declaration and the rights contained therein have their roots in the Treaties and the Charter of Fundamental Rights and complement the European Pillar of Social Rights, building on existing digital policies such as the protection of personal data, e-privacy, labour rights, and the case law of the Court of Justice.

Stricto sensu, the Declaration on Digital Rights and Principles aims to shape European values through 6 key areas: a human-centred digital transformation, supporting solidarity and inclusion through connectivity, digital education, training and skills, fair working conditions and access to digital public services, reaffirming the importance of freedom of choice and a fair digital environment, encouraging participation in the digital public space, increasing safety, security and empowerment in the digital environment, especially for young people, but also promoting sustainability.

Although the Declaration is declarative in nature, its value should not be underestimated as a political importance, as it was signed at the highest level of the European Union and its implementation is a joint commitment and responsibility of its Member States. In addition, the Digital Decade Policy Programme states that Member

States and the Commission must take into account the digital rights and principles set out in the Declaration as the EU enters its first cycle of cooperation to achieve the desired degree of digitization by 2030. In fact, the Commission has committed to reporting regularly to the Parliament and the Council on the progress made in promoting and implementing the Declaration.

Of course, the efforts towards digitization and regulation can be found in the "avalanche" of instruments and legislative acts developed and approved in recent years at EU level in sectors specific to the digital transformation, a transformation around which EU legislation is being reconfigured. And here we are, first of all, considering Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (GDPR).

Let's also not forget the Digital Services Act (DSA) and the Digital Markets Act (DMA), which highlight the right to freedom of choice and provide innovative legislative rules to address the societal and economic impact of online services in the EU, ensuring the protection of fundamental rights and fostering opportunities for businesses. The two key objectives of these hard-law legal instruments are, on the one hand, to create a safer digital space in which the fundamental rights of all users of digital services are protected, and on the other hand, to establish a level playing field to boost innovation, growth, and competitiveness in the European internal market and beyond. At the same time, the DSA creates new comprehensive obligations for online service providers and intermediary services to reduce damage and counter risks, ensuring robust protection of the rights of online users.

The EU has also concluded the public consultation for the revision of the Digital Markets Act (DMA) on the regulation of gatekeeper platforms such as Apple, Google, Meta, Amazon, Microsoft and TikTok, with the Commission preparing a full assessment of enforcement, which includes issues such as – "what works, what doesn't and what would need adjustments, and concrete issues that will change for users include how to search and install apps, display of results and data collection". [12]

Regulation (EU) 2022/2065 on Digital Services Act (DSA) [13] is the cornerstone of regulating the responsibilities of online platforms, its objectives include creating a safe digital space where citizens' rights are protected, making online platforms accountable,

increasing the transparency of automated processes (including recommendation algorithms), tackling illegal content and systemic risks, and strengthening European oversight of very large platforms (VLOPs).

If we refer to the impact on public administrations and smart cities, we will of course take into account that smart cities use digital platforms, applications, and data-driven management systems. And the DSA sets rules for the providers of these services, ensures that data generated by citizens is protected, prevents the misuse of municipal platforms and increases citizens' trust in public digital services.

As regards Regulation (EU) 2022/1925 on Digital Markets Act (DMA) [14], it complements the DSA, targeting large technology companies with a 'gatekeeper' role. The objectives of the DMA are to prevent abuse of dominant position, to guarantee fair competition, to open the market for innovators and small enterprises, and to interoperability of key services.

It is clear that public administrations depend on large digital platforms for cloud computing, IT services, data infrastructures, and artificial intelligence. Thus, the DMA prevents technological lock-ins ("vendor lock-in") and allows cities to use interoperable and flexible solutions, encouraging competition and innovation at local level.

Thus, the digital transformation in the EU's vision also relies heavily on the digitization of public services, such as e-health services, which involve, for example, citizens' online access to medical records. At the same time, we are talking about access to an electronic identification, in the sense of ensuring EU citizens and residents a secure and reliable way to authenticate and share qualified data attributes online through a "digital wallet" that would allow transactions throughout the EU. In this regard, on 26 March 2024, the European Council adopted a new framework for a European digital identity, namely the European Digital Identity Regulation (EUDI) [15], according to which by 2026 Member States will provide citizens and businesses with 'digital wallets' that will be able to connect their national digital identities with proof of other personal attributes (e.g. driver's license, qualifications, bank account), with sufficient guarantees included to avoid discrimination against anyone who chooses not to use the wallet. Also, its use will always be voluntary.

The new regulation establishing a framework for a European digital identity is based on the 2014 Regulation on electronic identification and trust services for electronic transactions in the internal market (e-IDAS Regulation). [16] Thus, the e-IDAS 2.0 reform introduces a single digital wallet, recognised in all Member States, secure access to public services, digital certificates for education, health, and transactions. If we were to refer to the impact for administrations and smart cities, the single digital identity will certainly allow for fully digitized public services, the interconnection of local registers, simplified administrative procedures and the reduction of bureaucracy. Digital wallets will simplify the identity verification process, making it easier for citizens to access government services online and boosting their adoption. Also, the overall security of citizens' data will be increased and the risk of breach will be reduced.

To the same extent, sustainability and durability are key elements of the Declaration of Digital Rights and Principles, which promotes digital products and services with minimal negative impact on the environment and society, as well as digital solutions with a positive impact on the environment, which is in line with the perception of two-thirds (66%) of Europeans, who believe that technologies will play a crucial role in combating climate change. In this regard, we know that the production and disassembly of technological devices generates, huge amounts of electronic waste, with new methods of recycling and reusing electronic components being developed to reduce the negative impact, with the new EU Ecodesign for sustainable products Regulation [17] becoming an important item on the Commission's agenda in terms of ensuring sustainable and circular products.

To create a 'Union of Equality', ensuring the accessibility of online services is essential, and much progress is still needed to make public sector websites and mobile apps, for example, fully accessible to people with disabilities. In fact, according to the European Accessibility Act for products and services, a wide range of products and services, including e-commerce and ICT, should also be accessible to people with disabilities in the private sector. The declaration invokes the idea of connectivity and states that all EU citizens should have access to affordable and high-speed digital means, which is a key prerequisite for promoting equal opportunities in an increasingly digitalised world.

Data protection and privacy are also key fundamental rights in the digital age. Moreover, they are activating rights for the protection of other fundamental rights that may be affected, such as human dignity and freedom of expression. At EU level, the control over personal data is ensured by Regulation no. 679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data, which strengthens the fundamental rights of individuals in the digital age and establishes clear requirements regarding the processing of personal data. In July 2023, the Commission proposed additional GDPR procedural rules for public authorities in cases affecting individuals in more than one Member State to provide faster remedies.

In any case, the legal framework outlining the processing of personal data has undergone numerous changes over time, which has had a significant impact on the free flow of data. However, the Directive on the processing of personal data and the protection of privacy in the electronic communications sector, known as the 'ePrivacy Directive', adopted in 2002, has played an important role in protecting stored information, all the more so since, according to it, traffic data must be deleted or anonymised when it is no longer necessary for the transmission of a communication. Currently, on the negotiating table of the EU bodies is the ePrivacy Regulation [18], meant to complement the GDPR. It has been in the legislative process for several years and is counting on the introduction of stricter rules on electronic communications, cookies, and direct marketing.

With regard to interaction with algorithms and Artificial Intelligence systems, which are particularly aimed at freedom of choice, the Declaration states that artificial intelligence (AI) systems should enable people to make informed choices in the digital environment, while protecting them from health risks and harms, and fundamental rights.

Let’s not forget the Directive (EU) 2022/2555 (NIS2) which strengthens the security of IT networks and which has as its central elements the obligation to assess risks, report cyber incidents, advanced technical and organizational measures, but also strengthened controls and sanctions. For smart cities, NIS2 is vital, as it protects IT systems, ensures the continuity of public services, and prevents attacks on urban infrastructures. [19]

This wide range of EU regulations offers perhaps one of the most advanced regulatory frameworks in the world. Thus, the European Union proposes a distinct vision focused on digitization in the context of respect for fundamental rights, technology and

responsibility, innovation through citizen protection, smart cities oriented towards ethics, security, and inclusion.

The European Union does not regulate digitization only through technical normative acts, such as DSA, DMA or eIDAS, but builds a coherent model of digital governance, which combines law, ethics, competitiveness, and the protection of fundamental rights. The EU legislator treats digital governance as a regulatory ecosystem made up of rules, principles, standards, institutions, and supervisory mechanisms, with the EU explicitly stating in all its strategic documents (2030 Digital Compass, Declaration on Digital Principles, European Digital Identity Strategy, etc.) that digitization must be human-centric. It follows that technology cannot prevail over fundamental rights, that the citizen must be protected against misuse of data, algorithms must be transparent, verifiable, and non-discriminatory, while access to digital services is a right, not a privilege, and digital inclusion is an obligation of the Member States. Therefore, the EU is positioning itself differently from other global powers, as it does not only pursue efficiency and innovation, but the protection of human dignity in the digital environment.

Through eIDAS and the future European Digital Identity Wallet, citizens will be able to access any public service in any Member State, which raises digital governance to the level of a European administrative integration project.

Essentially, the EU aims to transform public administration from a fragmented system into a single European digital administrative space.

Furthermore, under the Path to the Digital Decade programme, the EU sets specific digital targets and sets clear indicators that Member Countries must achieve by 2030, namely: 100% of essential public services must be available online, 100% of citizens must have access to digital identity, 80% of citizens must have basic digital skills.

Through this mechanism, digitization is not left to the discretion of each State, but becomes an obligation derived from EU law, thus becoming a component of the European Union's compliance. The European Commission's State of Play report on the 2025 Digital Decade, which assessed the EU's progress in the four target areas for the EU's digital transformation to 2030, highlighted achievements and gaps in the areas of digital infrastructure, digitization of businesses, digital skills and the digitization of public services. [20]

Last but not least, we must remember the Artificial Intelligence Regulation (AI Act), which outlined the European architecture of ethical and responsible digital governance. The AI Act represents the world's first comprehensive legal framework dedicated to the regulation of artificial intelligence, adopted by the European Union in 2024 and in progressive implementation. This hard-law instrument is considered the "cornerstone" of the future European digital ecosystem.

Unlike the approaches of other regions, the AI Act aims neither to accelerate technology at any cost (as in Asia), nor to self-regulate the market (as in the US), but to protect the human in an ever-evolving digital environment. With the AI Act, Europe sends a strong message: technological innovation must be compatible with human dignity, fundamental rights, and democratic values. For example, we mention that among the 26 decrees signed by the new US President on the first day of his second term, namely 20 January 2025, there was also the one canceling the Order on "the development of safe, secure and flexible AI", stating that such an AI governance model would "curb innovation and impose radical left ideas on the development of this technology". [21]

We can say that the European model remains the most balanced, being a sophisticated mixture of legislation, ethics, competitiveness, and protection of the individual, with a vision that tries to avoid the excesses of Asian control, the lack of regulation specific to the American system or the over-efficiency of the emirates.

The EU is the only large-scale digital democratic ecosystem. Why? Because the United States innovates quickly, but regulates slowly, Asia innovates massively, but at the cost of freedoms, as the Middle East builds futuristic cities, but with intense centralized control. The European Union is the only digital area where technology is democratically regulated, there is parliamentary scrutiny, there are public consultation mechanisms and there is civic participation in digital policymaking. Key elements are: secure and audited digital infrastructures, a ban on mass biometric surveillance, transparency of algorithms, the right of citizens to challenge automated decisions and respect for privacy as a fundamental value.

In a future where technology can become intrusive, the European Union becomes the guardian of digital freedom. Moreover, the European Commission also recently announced a plan to allocate €1 billion to boost the use of AI in key industries and the

public sector, aiming to reduce the EU's dependence on technologies from China and the United States. Thus, in parallel with the Apply AI strategy, the EU aims to position itself at the forefront of scientific research and innovation based on artificial intelligence, through the "AI in Science" strategy. [22]

In fact, the EU is creating an exportable model, what specialists call the "Brussels Effect" [23], the phenomenon through which EU standards become a pioneer in global strategies and rules. It happened with the GDPR, taken over all over the world, with competition regulations, consumer protection standards, or AI rules, which are already influencing the legislation of the USA, Canada, Australia, Japan.

It should be noted that the Digital Europe programme has recently been amended to accelerate the Commission's digital ambitions [24], with DIGITAL [25] contributing to the AI gigafactory flagship initiative [26], aimed at accelerating the development of leading European AI models and the core of the AI Continent Action Plan [27].

CONCLUSIONS

In conclusion, the European Union does not compete by technological speed, but by the power of rules, by the ethical and legal force of its model, by its philosophy, which maintains the balance between progress and humanity, laying the solid foundations of a digital civilization. And this philosophy makes it unique in the world. As the doctrine states, in the international standardization action the EU takes the first place, meaning that "America innovates and Europe regulates". [28]

The European Union is building this legislative future like a careful architect who does not erect walls before laying solid foundations. The Union model is, perhaps, the most beautiful paradox of modernity, the most digitized administrative project that puts man at the center, and not technology. In this space, digital rights become an open declaration for human dignity. Beyond innovation, we must remain human.

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