



Technology Industry Position Paper

In support of the wide-spread utilization of digital services within Norway, and successful collaboration between public and private sectors in their adoption, this paper serves to address AmCham Norway's positions relating to further strengthening the digital ecosystem of Norway. Global tendencies toward protectionism and unilateralism threaten to hinder innovation and value creation both domestically and internationally. At AmCham's core is a commitment to a strong and vibrant partnership between Europe and the United States – the strongest economic and trade relationship worldwide. It is therefore AmCham's firm position that efforts should be focused upon reinforcing and operating within multilateral organizations such as the WTO and OECD to foster an environment of trust that supports the secure, free flow of data, emboldened and enhanced public and private cooperation, and increased value creation across industries.

AmCham is a not-for-profit, member-led organization continually working to strengthen bilateral trade and business relations between Norway and the US. On behalf of our internationally oriented member companies across 22 industries, we work to increase the attractiveness of Norway for foreign investment, development, and innovation.

Public Private Collaboration and Data Sharing

Norway consistently ranks top in Europe in the use of digital services – both privately and in conjunction with the public sector, with nine of ten citizens utilizing digital means of communication with public institutions.ⁱ AmCham commends efforts to bolster collaboration between the private and public sectors, as detailed in the government's *One Digital Public Sector – Digital Strategy for the Public Sector 2019-2025*.ⁱⁱ As stated in this digital strategy, 'we need to collaborate across agencies and sectors to create seamless services that meet the needs of the users, regardless of who provides the service.'ⁱⁱⁱ Enhanced interoperability between platforms and industries – and across sectors – will lead to enhanced efficiency, innovation, and value for citizens.

As laid out in the government's *National Strategy for Artificial Intelligence*, artificial intelligence (AI) is vital to the digitalization and new technologies that will keep Norway competitive in the coming years. Crucial to the government's work combating climate change and maintaining a high level of welfare post-COVID is a utilization of this AI and the vast data that supports it. Norway and its economy will only be successful if organizations of all sizes and sectors are able to realize the full value of this data. AmCham urges the Norwegian government to strongly support greater openness and data sharing in a way that allows users to maintain control over strategic and sensitive data, while providing for increased sharing, innovation, and collaboration.

Technical Sovereignty and Data Flows

Recognizing that the free flow of data across borders is the lifeblood of many small and medium-sized enterprises, and that this flow has been severely diminished with the recent invalidation of Privacy Shield, AmCham supports the EU's Regulation on the Free Flow of Non-Personal Data, and urges the Norwegian government to advance a rules-based, Global Data Free Flow with Trust agenda. Access to global markets and international data flows is an essential backbone of Norway's digital economy. Leading with a rules-based approach aligns with Norway's principles and commitment to competitive, non-discriminatory, open



markets. It reflects a vision of digital sovereignty not based on isolation, but rather on ensuring that Norway helps to set the rules by which all technology companies, including those headquartered outside of Europe, operate.

In a global marketplace, localization measures pertaining to data storage, national clouds, or segmentation of the internet should not be conflated with the protection of data. To achieve the Norwegian government's ambition as a facilitator of digital innovation, and a *data center nation*^{iv}, it is crucial that decision makers are informed of respective national regulations as the basis for their interpretations when setting implementation and reaction plans. Abiding by agreed upon efficient, reliable, and rights respecting mechanisms for response to cross-border requests for digital information is crucial to both value creation and protecting personal and national security.

Taxation

As highlighted by the US Trade Representative's Section 301 investigations into ten governments' adoption or consideration of Digital Services Taxes, the pace of digitalization has led to drastic growth within the technology industry, and thereby a desire to revisit international taxation schemes and nexus rules. AmCham Norway urges the Norwegian government to abstain from implementing their own, Norway-specific digital tax, and instead engage through the OECD and their newly reaffirmed process. Promoting unilateral digital services taxation schemes, as opposed to consensus-based international solutions, will result in damaging tax and trade disputes, thus undermining tax consistency and investment. For its part, the OECD estimates the potential annual reduction of global GDP due to associated new disputes at more than 1%.^v The Norwegian economy, together with the global economy, can only be strengthened through support of multilateral organization efforts and transparent frameworks that ensure equity.

Moving Ahead

In navigating this new digital age (the AI era), where each day brings both heretofore unseen advances and contentions, we encourage policy makers to carefully assess any new challenges together with the benefits that modern technologies represent. The innovation and value attributed to many technology companies extend beyond these new forms of digital interaction and into pivotal investments in society through significant job creation and fundamental commitments to sustainability. The greatest societal enhancements and growth will stem from a mutually supported environment of trust and respect that recognizes the need for dialogue and collaboration.

This dedication to trust and respect is crucial not only to Norwegian society, but also to our domestic and international economies. Multilateral institutions provide an ideal arena and support system for these important dialogues and advancements. AmCham Norway encourages a rejection of protectionist, unilateral determinations in favor of a renewed strengthening of these institutions and a focus on interoperability and the establishment of rules-based mechanisms for cross-border digital information sharing. Together, international and domestic actors can establish new, innovative and secure sources of value creation benefitting every aspect of society.



ⁱ Use of ICT in Households (Rep.). (2019). SSB Norway.

ⁱⁱ Norway, Ministry of Local Government and Modernisation. (2019). One digital public sector: Digital strategy for the public sector 2019–2025.

ⁱⁱⁱ Ibid.

^{iv} Norway, Ministry of Trade, Industry and Fisheries. (2018). *Powered by Nature: Norway as a data centre nation*.

^v International community renews commitment to address tax challenges from digitalisation of the economy. (2020, October 12). Retrieved from <https://www.oecd.org/tax/beps/international-community-renews-commitment-to-address-tax-challenges-from-digitalisation-of-the-economy.htm>