DATA SHARING COALITION

Response to the European Data Strategy: towards a unified approach to data sharing

19 May 2020

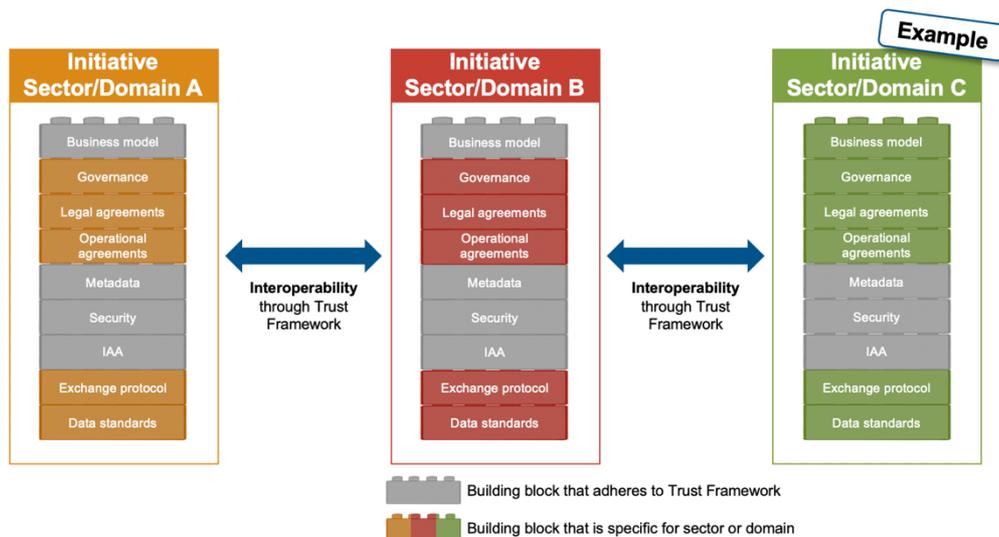|		
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Table of Contents

1. Introduction: What is the Data Sharing Coalition?

The Data Sharing Coalition [link] is a collaborative initiative that aims to stimulate unified, secure and easy cross-sectoral data sharing under the control of the rightful owner(s) between organisations in different sectors and domains. The initiative is a response of the Dutch Ministry of Economic Affairs and Climate Policy to their research study on data sharing and the digital economy [link] (Dutch) and the Dutch Vision on Data Sharing [link] (English).

Participating organisations (such as data sharing initiatives, data service providers, research institutions, universities and industry associations) collaborate, implement and share knowledge on cross-sectoral data sharing in the Data Sharing Coalition. Currently, 23 organisations are committed to the coalition and the number is growing with other organisations joining the open initiative. It is expected that the coalition will grow to approximately 50 participants this year.

Figure 1. Participants of the Data Sharing Coalition as of 18 May 2020

The Data Sharing Coalition is building upon existing and new data sharing initiatives that are facilitating data sharing between organisations under control of the rightful party in a specific domain or sector (by providing standards, tooling, standard contracts, schemes, etc.). Examples of such sector- and domain-specific initiatives in the Netherlands are:

- SBR Nexus   Financial domain
- HDN   Mortgages sector
- Verbond van Verzekeraars   Insurance sector
- MedMij   Healthcare domain
- iSHARE   Logistics sector

In a formalised, use case led and phased co-creation process, the Data Sharing Coalition works (2020 – 2025) towards a generic Trust Framework for cross-sectoral data sharing with generic agreements and principles, enabling self-regulation and interoperability between data sharing initiatives. Broad adoption of the Trust Framework is high on the agenda of the Data Sharing Coalition.

Figure 2. Generic Trust Framework and the nine building blocks

Three main objectives drive the current activities for 2020 towards this generic Trust Framework in the current phase of the Data Sharing Coalition:
1. Define and realise cross-sectoral use cases of data sharing
2. Determine harmonisation potential between data sharing initiatives
3. Drive knowledge sharing and communicate about the value of cross-sectoral data sharing

Experiences and perspectives of the participants have been gathered for our response to the public consultation of the European Data Strategy. The Data Sharing Coalition wants to share these experiences and perspectives on aspects in the Data Strategy that are seen as essential by the participants for successful (cross-sectoral) data sharing. Challenges experienced and potential solutions foreseen are provided as guidance for possible initiatives by the European Commission that contribute to (cross-sectoral) data sharing.

2. A first reaction to the European Data Strategy: challenges experienced in cross-sectoral data sharing

Participants of the Data Sharing Coalition have responded to a coalition survey on the European Data Strategy and have expressed the most common challenges their organisation is facing in the facilitation of cross-sectoral data sharing:

Restrictions by current data access legislation
Current legislation hampers innovation and new potential business models due to access to (high-value) data sets being denied by governments and organisations in the public and private sector. Data access and use is enhanced by data governance mechanisms that address data usage both in and across sectors and domains, but technical considerations (e.g. data protection legislation, the need to protect commercially and/or privacy sensitive information, competitive law) need to be taken into account within these mechanisms.

Missing data interoperability and transfer mechanisms
Data interoperability and unified data transfer mechanisms between domains and sectors lack technological, functional, legal and operational maturity in general. Missing

or insufficient data interoperability and lacking mechanisms to transfer data between domains and sectors result in difficulties for data sharing initiatives and their userbase to facilitate data sharing outside of their own sector or domain. Guidance by the EU on alignment of efforts is important in working towards developments and setting of agreements in data interoperability and transfer mechanisms between domains and sectors. An example of how to stimulate interoperability with guidance from the EU is to facilitate adherence of data to the principles on Findability, Accessibility, Interoperability and Reusability (FAIR) to harmonise data objects and their identifiers.

Missing clear definition of data access and control
The current definition of data access and control is lacking and a clear definition for all stakeholders in (cross-sectoral) data sharing has yet to be developed. It should become clear what 'data access' and 'data control' actually means for various stakeholders in data sharing if users are to be given rights, tools and skills to stay in full control of their data. A clear definition of data access and control is a key requirement for the set-up of a data governance mechanism at a European level as it is foundational for the setting of its legal, organisational and technical rules.

Required higher levels of digital trust for cross-sectoral data sharing
The digital trust factor is crucial for parties to become (and remain) comfortable with sharing data with the relatively unfamiliar parties in other sectors and domains. Mitigation of this relative unfamiliarity between parties in sharing data across sectors and domains requires a higher level of digital trust. This required digital form of trust is an enabler in cross-sectoral data sharing and the EU and its data economy must facilitate this digital trust to fully harness the opportunities cross-sectoral data sharing can provide.

Addressing increasing societal impact of data sharing
The human-centred approach of the European Data Strategy emphasises the transformational effects of digital technologies and data sharing on the fundamental data rights of European citizens and society as a whole. These transformational effects lead to an increasing societal impact of data sharing to be addressed in the initiatives by the European Commission to mitigate potential harms and capture its benefits. An example of a way to address the increasing societal impact of data sharing is to facilitate the sharing of data and insights for the public good; linking public institutions (e.g. law enforcement agencies, civil society organisations) and the private sector to share data in a controlled, secure and unified fashion to protect the fundamental human rights of European citizens.

Fostering collaboration between public and private sector
A collaboration in pursuit of common agreements (legal, functional, operational) and standards for data sharing between the public and private sector needs to be fostered by the EU. The broader coordination and collaboration are required to tackle each of the previously mentioned challenges experienced in cross-sectoral data sharing. Opening up high-value publicly held datasets across the EU and allowing their reuse for free is a good start, but it is just as important to take the collaboration further with common agreements and standards, in order to achieve the earlier mentioned unified approach towards data sharing.

3. Input from the Data Sharing Coalition on the role for the EU

The Data Sharing Coalition participants have provided their input in a survey on their expectations of the role the EU needs to take to solve the earlier mentioned challenges in cross-sectoral data sharing.

The first role foreseen for the EU is to coordinate the efforts towards data governance and standardisation to reduce current market imbalances and platformisation of the data economy:

- Adopt data principles on all dimensions of data sharing, instead of limiting to only imposing standards
- Appoint highly regulated sector-neutral entities to facilitate agreements between market parties, based on common agreed principles with a balance in public and private interest
- Enforce current legislation and adoption with the aim to create the data level playing field that is currently missing
- Guide and stimulate European initiatives in setting up technical and legal aspects of data governance and data standardisation, while preserving coherence and interoperability
- Stimulate adoption of implementations which adhere to the unified European approach for data sharing (for a limited but decisive period).

The second role foreseen for the EU is to finance initiatives and programmes working on data technologies where clear business models may not exist yet, but which use and contribute to the evolution of the unified European approach towards data sharing:

- Finance cross-sectoral data sharing use cases and contribute to use case adoption on a European level
- Fund research on data technologies and capacity building for SMEs
- Support the development of the European Common Data Spaces and take cross-sectoral data sharing into account in the next developmental phases

4. Alignment between the Data Sharing Coalition and the European Data Strategy

The Data Sharing Coalition welcomes the alignment between its own goals and the goals of the European Commission of ensuring that more data becomes available for use in the data economy and society under the control of companies and individuals who are the rightful owner of the data. Each of the pillars of the Data Strategy contains deliverables and goals which are directly relevant to the Data Sharing Coalition and its goal to stimulate the unified approach towards data sharing across sectors and domains. In this chapter, we elaborate on the coalition's vision on how these pillars can be operationalised.

First pillar of Governance:
A cross-sectoral governance framework for data access and usage relies on a very clear definition of data control in functional, legal, technical and operational sense. The Data Sharing Coalition recommends addressing current issues in identification, authentication and authorisation towards data control in the first efforts by the Commission towards the cross-sectoral governance framework.

The Data Act and its incentives for horizontal data sharing across sectors is recognised by the Data Sharing Coalition as a necessary deliverable. It is important to identify and address current hurdles (e.g. lack of a unified approach) and clarify rules for responsible use of data to provide guidance to European businesses on what should be done and what is allowed to be used in innovation efforts.

Second pillar of Enablers:
It is necessary to facilitate Memoranda of Understanding with Member States in Europe to align European cloud federation and data sharing initiatives and avoid fragmentation of the initiatives, but it is important to align on more than just which data sharing initiatives are currently active.

The Data Sharing Coalition advises to request self-assessments by data sharing initiatives on their sets of agreements and principles to enable mapping of the initiatives on various (cross-sectoral) data sharing aspects. The self-assessments contribute to a gap analysis towards a unified approach, as well as knowledge dissemination between existing initiatives.

The funding of data technology research to stimulate innovation in access to and use of data is necessary for development and enforcement of technologies to facilitate trust in digital ecosystems (e.g. cryptography). Digital trust is a key enabler of data sharing as parties need to have confidence in the honesty and security of the manner in which their data will be handled by other parties. This means that technology developed (like digital identity solutions) should adhere to a unified framework which organises trust. The Data Sharing Coalition therefore acknowledges the importance of the data technology research funding and more specifically, trust related solutions but advises to make sure the solutions are part of a common framework.

Third pillar of Competences:
The Data Sharing Coalition appreciates the plans by the Commission to fund efforts by SMEs and start-ups to build and strengthen necessary data capacities to reduce current market imbalances in the data economy and would like to see the learning and implementation of the unified approach towards European data sharing included as well. Countering accumulation of large data pools by a small number of big players via their platforms combined with opening up high-value data sets for SMEs would be a good start towards levelling the playing field by reducing market imbalances.

The provision of legal and regulatory advice for SMEs and start-ups with data-based business models is supported by the Data Sharing Coalition as it is seen as a very important aspect of the Data Strategy towards opening up innovation in the European data economy.

Fourth pillar of Common data spaces:
The Data Sharing Coalition regards the establishment of nine common European Data Spaces as a good starting point towards overcoming legal and technical barriers within the spaces.

The data spaces can potentially be connected and made interoperable and be developed into a solid and unified approach towards cross-sectoral data sharing. It is key to the future developments of the European data economy to see these data spaces as a solid foundation to enable cross-sectoral data sharing in a later stage. The Data Sharing Coalition advises to take cross-sectoral interactions into account from the

start when setting up the data spaces and to harmonise their guiding principles and communication protocols.

5. Closing remarks

The Data Sharing Coalition continues to build on existing data sharing initiatives to unlock significant economic and societal value creation while maintaining control on data by rightful parties and stimulate data sharing between organisations in different sectors and domains, all working towards the unified approach for data sharing.

The first cross-sectoral data sharing use cases launched recently. As the Data Sharing Coalition is an open initiative, knowledge and insights gained on cross-sectoral data sharing will be shared publicly.

Initiatives on (cross-sectoral) data sharing by the European Commission will be monitored closely to see whether any input can be provided as the Data Sharing Coalition is open to share its knowledge and insights gained with the European Commission.