



Position Paper  
Proposal for a Data Governance Act (COM(2020) 767 final)  
CSC – IT Center for Science Ltd.

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CSC welcomes the Commission’s proposal for a Data Governance Act (DGA) and considers it a useful framework for enhanced data sharing in Europe. CSC is particularly pleased to note that good practices for managing and fostering re-use of research data, as crystallised in the FAIR principles, are utilised as a source for inspiration of the DGA. CSC also appreciates the new definition of data introduced in the proposal as it promotes a comprehensive view on the nature of data and offers possibilities for semantically interoperable regulation.

It is crucial to focus on the easy accessibility and usability of data across businesses, sectors, research disciplines and fields of administration. CSC supports the Commission’s approach to not try and regulate all aspects of data management by detailed top-down regulation but rather by supporting the development of common practices in a bottom-up process (e.g. via the European Data Innovation Board). Transparency should be the guiding principle in defining the practices on, for example, how the level of trust, data protection and data security are evaluated and monitored.

As to the European Data Innovation Board, it is good that references to the European Interoperability Framework, Core Vocabularies and CEF Building Blocks are made in recital 41. The work of the board should also be informed by other existing data management standards, policies and practices, including those developed at the global level and in the private sector. Therefore, the said recital should also refer to work done in the framework of, for example, the Research Data Alliance (RDA), European Open Science Cloud (EOSC) and GAIA-X.

Most of the work for implementing the DGA will be done at member state level. Thus, efforts must be made to ensure a uniform application across the Union. The European Data Innovation Board can play a major role in pulling together the efforts made across sectors and member states. It must be ensured that the board is provided with sufficient support and resources for performing this important work.

Services developed in the framework of the DGA must take a user-centric approach and adhere to the MyData principles aiming to empower individuals by improving their right to self-determination regarding their personal data. For the sake of user-centricity, it must be as easy as possible for users to change service providers if they so wish. For this purpose, interoperability between the various data sharing services must be addressed in the DGA.

CSC is pleased to note that the DGA proposal reaffirms the EU’s commitment to use data generated at the expense of public budgets to benefit society (recital 5). It must be made clear that this applies both to situations where such data is generated by the public sector itself and by other actors receiving

public funding. In both cases, the data generated must be made available according to the same conditions. Should a data sharing service be used, the data user should not incur any additional costs.

Applying the European Interoperability Framework systematically is key in developing a sustainable data governance, and on the level of legal interoperability this means, that all relevant parallel regulation must be reviewed and revised where needed, in order to achieve a coherent regulatory framework for data. For example, the Open Data Directive and its upcoming implementing act on the high-value datasets (HVDs) are clearly linked to the DGA, so it must be ensured that the overall impact of these pieces of legislation is coherent.

Moving forward, it is important to maintain a light-touch approach to data-related legislation. Introducing too prescriptive legislation too early may block the development of new capacities and innovative practices. Therefore, any amendments to the DGA proposal must be evaluated carefully in order to not make the act too detailed or heavy-handed.

In general, when regulating a phenomenon such as data, one must be careful not to build barriers by creating too restrictive legislation, but to seek for soft-law type of instruments and community-driven bottom-up approaches where ever possible. It must be kept in mind that regulation alone is not enough to create a vibrant European data economy. Leveraging the potential of data and creating impact with it is also much about cultural aspects and how institutions, organisations and – in the end of the day – people work together.

It is also important to note, that data is the key raw material of digitalisation, and it must be developed strategically in a way that enables the development of interoperable ecosystems built around data, including sufficient infrastructures for managing and processing data. Thus, there needs to be coherence with parallel data related initiatives at infrastructure level – e.g. in the framework of EuroHPC, EOSC and GAIA-X.

Finally, the skills necessary for working with data and creating value out of it, need to be systematically developed at all levels and in all fields, including the teachers, educators and trainers. Skills and competences in the data area are a critical asset for the EU.

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