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EU DATA GOVERNANCE ACT: NEW OPPORTUNITIES AND NEW CHALLENGES FOR CLARIN
European Strategy for Data:

- European Commission’s Communication of 19 February 2020
- Stakeholders Consultation (until 31 May 2020)
- Series of proposed Regulations:
  - The Data Governance Act (25 November 2020)
    - Regulation 2022/868 of 30 May 2022 (entry into application 24 September 2023)
  - The Digital Services Act (15 December 2020);
  - The Digital Markets Act (15 December 2020);
  - The Artificial Intelligence Act (21 April 2021);
  - The Data Act (23 February 2022).
- Common European Data Spaces
DGA: AN OVERVIEW

• Re-use of protected data held by Public Sector Bodies
• Supervisory framework for the provision of Data Intermediation Services
• Framework for Data Altruism Organisations
• Establishment of a European Data Innovation Board
RE-USE OF PROTECTED DATA HELD BY PUBLIC SECTOR BODIES

- DGA: protected data (copyright, personal data) held by public sector bodies should also be made available for re-use
- Possible requirements:
  - access granted only to anonymised or otherwise pre-treated data
  - access only within a secure processing environment
- Where re-use cannot be allowed, public sector bodies should provide assistance to potential re-users in seeking consent/permission
- Each Member State shall designate at least one competent body to assist public sector bodies in fulfilling these tasks (incl. guidance and technical support)
• Data Intermediation Services (DIS) include:
  • intermediation between data holders and data users, incl. provision of technical means to enable such services (platforms, databases, infrastructures)
• Providers of DIS shall submit a notification to a competent authority
  • list of requirements, e.g. prohibition of re-use for own purposes
• Exception: does not apply to not-for-profit entities whose activities consist of seeking data to collect for objectives of general interest, UNLESS they aim to establish commercial relationships between data holders and users.
DATA ALTRUISM (I)

• Definition in the DGA: voluntary sharing of data on the basis of the consent of data subjects, or permissions of data holders without seeking or receiving a reward (beyond compensation related to the incurred costs), for objectives of general interest (e.g. scientific research)

• Obligations of registered organisations:
  • transparency (detailed records, reporting)
  • prohibition to re-use data for other purposes than specified by the data holder
  • appropriate level of data security
  • tools to obtain necessary consent/authorisation, and to withdraw it

• Competent authorities to monitor and supervise compliance
The European Commission shall adopt:

- a Rulebook for data altruism organisations
  - information to give to data subjects/holders before they consent for data altruism
  - technical and security requirements
  - communication roadmap (taking a multi-disciplinary approach)
  - recommendations for interoperability standards
- a European Data Altruism Consent Form
  - to enable collection of ‘altruism’ data across the EU in a uniform format
  - modular approach (customisation possible)
EUROPEAN DATA INNOVATION BOARD

• Experts from competent authorities and other experts
• At least three subgroups:
  • advice on DGA (data intermediation services / data altruism organisations / re-use of protected data from public sector bodies)
  • technical discussions on standardisation, portability and interoperability
  • stakeholder involvement (academia, industry, common European data spaces)
I HAD A DREAM

• CLARIN ERIC — a registered data altruism organisation:
  • receives and distributes data donated on the basis of altruism
  • works with the European Data Innovation Board
• CLARIN centres:
  • provide public sector bodies with advice and support on data sharing
  • act as registered providers of Data Intermediation Services (some)
    • provide data to business
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