Why it’s time for Europe to adopt moonshot thinking for data

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The time has come to redistribute the balance of power in the digital economy. We need to create a level playing field for data by putting people and organisations in control of the data they generate – in other words, by establishing ‘data sovereignty’. This requires creating a digital ‘soft infrastructure’ for data sharing, for all data spaces, all industries and all geographies: the data equivalent of GSM, which enables a worldwide customer-driven ecosystem.

For the proposed Digital Governance Act (DGA) to truly lay the foundation for a data-empowered society, Europe needs to take a groundbreaking approach – in line with moonshot thinking – to define a radically different way of dealing with data in the future. A way that establishes trust, allowing people and organisations to share data effortlessly whilst staying in control. Therefore, it is crucial that the decision-makers include the right governance framework in the final version of the DGA.

As part of a set of measures aimed at putting the European Union (EU) at the forefront of a data-empowered society, the European Commission (EC) published its proposal for a Regulation on European Data Governance, known as the Data Governance Act (DGA), on 25 November 2020. This act aims to foster data availability by increasing trust in data intermediaries and strengthening data sharing across the EU and between sectors.

The draft DGA outlines the conditions to create a network of trusted and neutral data intermediaries, overseen by national supervisory authorities and a pan-European coordinating body. During the current negotiation and approval process of the DGA, and before the final decision is made later this year, the act must provide a solid foundation for a new and fairer – ‘data sovereign’ – way of dealing with data in future. That requires the right governance framework to be put in place: a ‘soft infrastructure’ for data sharing.

What is a soft infrastructure?
In the 1980s, the EU redefined the global telecom industry by introducing the Global System for Mobile Communications (GSM) – a decentralised paradigm with requirements relating to the usage of standards, governance and adherence obligations. This allowed a worldwide ecosystem of telecom providers to develop without compromising the end-user service in terms of reach and data portability. Nowadays, users can change providers without losing their data (i.e. their mobile number). This is a real-life example of data sovereignty before the term was even coined.

Creating an equivalent set of requirements or ‘soft infrastructure’ covering the usage standards, governance, and adherence obligations in the data domain will have a similar effect on the data economy. This digital soft infrastructure will give companies and citizens legal control and functional control of their data, enabling them to re-use their data elsewhere.
as they choose. The governance framework of the DGA will be instrumental in creating a soft infrastructure for data, as explained in more detail below.

**Data Innovation Board and Digital Exchange Board: a solid duo**

The Data Governance Act mentions a Data Innovation Board (DIB) that will assist and advise the EC on strategic data governance matters such as enhancing interoperability and developing the actual requirements applicable to data sharing providers. The Data Innovation Board could act as a launching pad for many critical developments of the digital soft infrastructure in the future. However, we believe that the DIB – with its strategic focus – should be complemented by another governance body focusing on the more tactical and operational aspects of enabling data sharing and interoperability in practice: the Digital Exchange Board (DEB).

The DEB would be tasked with agreeing upon the initial requirements for the data sharing services and updating the requirements going forward, driven by the needs of people, markets and public-sector use cases. After all, developing a digital soft infrastructure based upon the design principle of data sovereignty is not a project but a process.

The involvement of all relevant parties fits with the democratic European values; everyone can contribute, so everyone benefits from it. Governance is critical.

Therefore, we recommend building upon the existing science, research and practical experience from interoperable data sharing (e.g. IHAN, IDSA, Data Sharing Coalition, iSHARE and MyData Operators, to name but a few) and merging best practices to organise this on a pan-European scale. The Data Exchange Board would create the living link between the aims of the DGA and the means and best practices emerging in the real-life use cases. We believe that this connection will be essential, both in the sunrise of the soft infrastructure and in the large-scale adoption, operational growth and innovation phases of the decades ahead.

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**Data intermediaries and the DEB**

During the current negotiations the EU council has already suggested that the data intermediaries should take reasonable measures to ensure interoperability with other data sharing services. This is an example of how the DEB would be the forum for defining what the reasonable measures mean in practice.

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**Figure 1 – The relationship between the strategic Data Innovation Board and the proposed operational Data Exchange Board, with the European Commission on one side and the practitioners on the other.**
The need for moonshot thinking
We believe that this combination of strong strategic guidance (DIB) and operational efficiency (DEB) can deliver a groundbreaking way of addressing the problems caused by the current imbalance of power surrounding data. It would ensure accomplishment of the real aims of the DGA: to create trust in data sharing and co-create, organise and stimulate adoption of decentralised access to and exchange of data while maintaining transparency, security and interoperability.

Therefore, we call on the European parliamentarians and policymakers in our 27 member states to do some moonshot thinking when considering the DGA. Supporting a decision for a solid duo of the Data Innovation Board and the Data Exchange Board will be a significant step in creating a digital soft infrastructure for data sharing. It will finally put the ambitious idea of a data-sovereign society within the EU’s grasp.

We are keen to start the dialogue with policymakers and politicians to achieve this together. Feel free to contact us for more details or reflect on or discuss how a governance framework can help achieve data sovereignty and advance the European digital economy.
Data Sovereignty Now is an initiative of a coalition of like-minded organisations who believe that Data Sovereignty should become the guiding principle in the development of national and European data sharing legislation.

Data Sovereignty is the key driver for super-charging the data economy by putting the control of personal and business data back in the hands of the people and organisations which generate it.
Our vision on the key steps to achieve data sovereignty through digital ‘soft’ infrastructures:

1. Digital ‘soft’ infrastructure for data sharing: Develop functional, legal, technical and operational requirements that support the most critical use cases of people, businesses and governments in the various data spaces.

2. Based on existing best practices: Much of the groundwork on digital soft infrastructure for data sharing has already been done in the past decade by researchers and business practitioners worldwide. The initial version of the requirements for data sharing services should include these best practices.

3. Living form of standardisation: The digital soft infrastructures are a living form of standardisation and should be allowed to evolve over time; the common way of dealing with data must continuously respond to market needs and applications.

4. Operational governance: To include the best practices from the practitioners and enable the continuous evolution of the standardisation, a sound governance model should be set up, which represents public-sector, private-sector and people’s interests.

5. Initial implementation: The organisations that have created the requirements should roll out and implement the first version of the digital soft infrastructure. This will provide referenceable integrations and, importantly, validate market adoption.

6. Roll-out and adoption: The digital soft infrastructure should then be extended across all sectors over the coming decade.

The Data sovereignty principle states that people and organisations have the capability of being entirely self-determining with regard to their data.

A soft infrastructure is a set of standardised functional, legal, technical and operational agreements that make data sharing work in practice. Together, data sovereignty (as the guiding principle) and soft infrastructure (as the practical enabler) are crucial to achieve the goals of the European Data Strategy.