Statement on the Proposal for a Data Governance Act

January 2021

- The Commission can make use of European and international standards to substantiate the policy objectives of the Data Governance act.

- Standardisation can support the implementation of the Data Governance Act by specifying the conditions for providing data sharing services and setting out harmonized requirements.

- The European Data Innovation Board should cooperate with the European Standardization Organizations when prioritizing existing data-related standards and standardization needs.

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DIN, the German national standardization body, welcomes and supports the proposal for a Data Governance Act (DGA) aimed at fostering the availability of data for use. Standardization plays an important role, e.g. with regards to cross-sectoral interoperability, processing and use of data, data reference architectures, metadata schemes and common data models or governance of data exchange. In general, standards contribute to transparency, interoperability and create trust in business-to-business relationships but also with customers.

Data interoperability and trust in GDPR-compliant data use through standards

As stressed in the explanatory memorandum of the proposal for the DGA, interoperability and trust in data intermediaries will have a significant influence on making data available, sharing it amongst businesses and allowing personal data to be used within individual rights under the General Data Protection Regulation (GDPR). nternational and European standards can make a significant contribution to both aspects. They ensure interoperability, transparency and sustainability and thus create the basis for trust in secure data exchange and GDPR-compliant data use. In particular, the use of the coherent European body of standards, which is maintained by the European standards organizations (ESOs) CEN, CENELEC an ETSI, ensures connectivity to international markets and provides guidance, especially for start-ups and small and medium-sized enterprises (SMEs).

Standards as a tool to achieve policy goals

In implementing the DGA, the European Commission should therefore put a focus on standardization and work with the ESOs, especially when specifying the conditions for providing data sharing services (Article 11). European standards can also be used as a basis for laying out a Union-level regulatory framework to set out highly harmonized requirements, e.g. related to the trustworthy provision of data sharing services, as called for in the preliminary remarks (see No. 25, p. 18). Using standards as a tool to achieve policy objectives, the Commission can further issue additional standardization requests where standards are needed to specify the implementation details of the DGA. Regulation (EU) No 1025/2012 encourages this procedure.

Cooperation between the European Data Innovation Board and the European Standardization Organizations

The DGA proposes the establishment of a European Data Innovation Board (EDIB) that, amongst other responsibilities, shall be responsible for the identification of priorities for the development of standards. The multi-stakeholder platform on ICT standardization that was established by the European Commission[1] to advise the Commission on matters related to ICT standardization policy, priorities, work programme and standardization needs in support of European legislation and policy, can be an important and helpful partner in this. In collaboration with the Commission, the platform drafts the yearly Rolling Plan on ICT Standardization, that lists all EU policy priorities where standardisation plays a key role in the implementation of the policy and also covers technologies of horizontal importance. We therefore highly recommend that the EDIB, in addition to the already mentioned stakeholders, also cooperates

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[1] See Commission Decision of 28 November 2011 setting up the European multi-stakeholder platform on ICT standardisation (2011/C 349/04).

with the multi-stakeholder platform and the ESOs on identifying standardization priorities. Furthermore, priority should be given to European and international standards in the selection and prioritization of standardisation activities. European standards apply in all member states. National standards organizations are obliged to withdraw standards that contradict the European body of standards. This ensures a harmonized body of standards free of contradictions. These characteristics are especially important for start-ups and SMEs as they lead to a lower compliance burden. In order to provide market-driven and broadly accepted standards, the ESOs are willing to work together with other standardization organization.

Concrete text proposals to integrate these two aspects into the legal text:

- "The Board should support the Commission in coordinating national practices and policies on the topics covered by this Regulation, and in supporting cross-sector data use by adhering to the European Interoperability Framework (EIF) principles and through the utilisation of standards and specifications (such as the Core Vocabularies and the CEF Building Blocks), ~~without prejudice to~~ taking into account the standardisation work taking place in specific sectors or domains. Work on technical standardisation may include the identification of priorities for the development of standards and establishing and maintaining a set of technical and legal standards for transmitting data between two processing environments that allows data spaces to be organised without making recourse to an intermediary. The Board should cooperate with the European standardization organizations CEN, CENELEC and ETSI on this matter as well as with sectoral bodies, networks or expert groups, or other cross-sectoral organisations dealing with re-use of data. Regarding data altruism, the Board should assist the Commission in the development of the data altruism consent form, in consultation with the European Data Protection Board." *(Preliminary Remark 41, p. 22)*
- "to advise the Commission on the prioritisation of cross-sector standards to be used and developed for data use and cross-sector data sharing, cross-sectoral comparison and exchange of best practices with regards to sectoral requirements for security, access procedures, while taking into account existent European and international standards and sector-specific standardisations activities;" *(Article 27c, p. 38)*

In order to support standardisation in data-related areas, the EDIB should, in implementation of the DGA, encourage member states to give incentives for standards setting, send government experts to actively participate in the development of standards within the technical committees of the European standardization organizations, encourage other stakeholders to do the same and provide funding to support standardization efforts in strategically relevant areas.