



Position paper on the future governance framework for the common European data spaces

Statistical offices can play a key role in the emergence and functioning of common European data spaces

November 2020

The recent developments have proven the importance and urgency of relevant and timely statistical data of the highest quality as well as the need to constantly produce new data and indicators. This is what the European Statistical System¹ (ESS) has been providing for years. The ESS is firmly committed to continuing to provide statistics for evidence-based policy-making and equally to all users. However, this also depends on the capacity for statistical offices to access and use more data and especially the new data sources from the digital economy that has already proven their value as input to the production of statistics most recently seen during the present covid-19 situation.

The ESS fully adheres to a vision where data should be made more widely accessible and used within Europe and across sectors, for the benefit of the whole society and economy. In this respect, the ESS also recalls its strong commitment in upholding the European values and fundamental rights that must underpin any European data space.

The establishment of EU-wide common and interoperable data spaces in strategic sectors will be an important step towards the creation of this European single data space. The common European data spaces will only improve the availability, quality and interoperability of data and their use by businesses, individuals and public bodies if dataflows and data access is properly managed.

The ESS welcomes the European Commission's initiative for a governance framework for these common European data spaces and its overall objective to strengthen trust in data sharing and in data intermediaries. Statistical offices are recognised trustworthy data organisations with a clear legal mandate to collect and access information from multiple data sources for European statistical purposes. They have a longstanding experience in handling large amounts of data for the common good and with a particular attention to the preservation of confidentiality. They are natural partners when it comes to building trust in data and building trust between those actors who generate or hold the data and those who want to use them. Therefore, the experiences of national statistical offices could be considered to allow them to take a role as data intermediaries and where feasible other roles of the future governance framework.

In light of the above, references to statistics should be explicitly included in the proposal on governance framework, reflecting the role played by the ESS partners. Furthermore, it will be important to ensure also the participation of representatives of national statistical offices in the European Data Innovation Board and in discussions with stakeholders.

The ESS expresses its readiness to further elaborate its position on the various aspects covered by the future governance framework and its strong interest in pursuing the discussions in the context of the forthcoming legislative process.

For a long time already statistical offices have been active participants in data spaces. Apart from being major data users, they contribute to data spaces by producing statistics for society, generally in the form of open data, and making datasets available for analytical purposes for researchers and public and private

¹ The ESS is the partnership between Eurostat, the national statistical institutes and other national authorities responsible in each Member State for the development, production and dissemination of European statistics. It includes the statistical offices of the EU Member States and of the EEA and EFTA countries
see ESS website at <http://ec.europa.eu/eurostat/web/ess/latest-news>

analysts under strict conditions. In fact, as part of their core business, navigating, coordinating and contributing to data spaces for the common good is already a reality for statistical offices. In addition to specific strengths such as professional independence, trustworthiness and impartiality, this makes them a natural partner in the creation of the framework for common European data spaces, possibly including as data intermediaries.

Statistical offices can therefore actively contribute to the organisation of the new data ecosystems and in particular when the pooled data are used for public interest purposes. In addition, they can support the development of common technical standards with regard to the description, quality and inter-operability of the data, which will be required to facilitate data sharing across sectors and domains.

The ESS supports measures aiming to facilitate data altruism in general. Data altruism is worth investigating for statistical offices to develop new and innovative statistical products based on consented data from individuals and companies. In particular, data made available on altruistic grounds should be regarded as serving the common good when used for official statistics purposes and statistical offices should receive special recognition in this context. This should be the case for instance in the data altruism schemes to be established at national level or in the common European consent and portability request form that will be developed.

Mechanisms with the objective to enhance the re-use of public sector data that are subject to the rights of others, are also welcome and will open up new opportunities for statistical offices in terms of data access. This will allow statistical offices to identify data which can be combined with their more traditional data sources, which will result in enriched statistical insights. In return, statistical offices will be in a position to offer a key contribution to these mechanisms, notably based on their own experience with regard to access to statistical micro-data for research purposes.

Furthermore, it is necessary to ensure the participation of the statistical community in the governance bodies that will be established at European and if needed at national level, so that the experience and contribution of statistical offices on all these aspects is appropriately taken into account. A good cooperation between the national statistical institutes and the competent bodies designated at national level is crucial for the successful achievement of potential in a common data space.

Finally, the ESS understands that the overall issue of access to privately held data for public purposes in general will be addressed in a Data Act proposal that has been announced by the Commission and that is planned for next year. This Data Act should establish mechanisms for business-to-government data sharing, notably through an arbitration between existing rights on data that promotes the common good. The Data Act is of direct relevance for official statistics, a public good governed by an overall framework adopted by the European Parliament and the Council (Regulation N°223/2009 on European statistics) and it should be consistent with European statistical legislation. The ESS reiterates that access to privately held data is one of the main challenges official statistics are currently facing. Access to and re-use of privately held data for statistical purposes must be organised on a sustainable basis and according to fair, clear and predictable rules that will ensure a level playing field in Europe. The ESS is therefore looking forward with great interest to the future Data Act proposal and wishes to be associated in its preparatory work.