EDiMA

EDiMA Annex to European Commission's Data Policy Questionnaire

EDiMA, the European trade association representing the online platform ecosystem, would like to thank the European Commission for the opportunity to provide feedback on its Communication on a European Strategy for Data.[1] Due to the limited space available in the online questionnaire and the nature of some of its questions, EDiMA would like to use this paper as an annex in order to elaborate, and where necessary clarify, some of the responses provided.

Sharing of data in a responsible and concerted manner can have great benefits for the European economy and society at large. Thanks to innovation in data analytics, cloud computing and AI, the value drawn from data is increasing both businesses' and consumers' access to economic and social opportunities. EDiMA members are committed to harnessing the potential of open data where possible, while simultaneously balancing market players' ability to derive economic benefit from the data economy in line with contractual freedom. This will help to make full use of Europe's entrepreneurial skills, while ensuring the necessary freedom to assess which data agreements suit businesses and their customers best.

As stated in the online questionnaire, EDiMA supports the principle of "as open as possible, as closed as necessary". It is critical that the GDPR's integrity is maintained in order to provide the necessary legal certainty that citizens expect.

Standardisation and Best Practices
On the elements that EDiMA considers to be the most useful in terms of standardisation, in addition to the options provided by the Commission, EDiMA would like to add that IP-related assertions, such as broad IP license policies and other disincentives to assertions that have beleaguered standards in other areas, should be avoided or limited regarding data standardisation efforts.

EDiMA highlights the ways in which companies have already begun and will continue to do their part in standardising and making available tools that empower users, citizens and authorities across the Union to access and transfer data. These include examples such as the Data Transfer Project,[2] which helps users securely and seamlessly move their data between service providers. Another example is the Eurostat agreement on short-term rental platforms[3] that seeks to provide for the first time standardised and reliable statistics on tourist accommodation across the EU in order to support informed, evidence-based policy-making.

Data Altruism
On the data altruism section, EDiMA has answered the following three questions "I don't know / no opinion" as it considers them to be aimed at individuals:
   1. For which of the following purposes would you be willing to make data available

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[1] COM(2020) 66 Final from 19.02.2020
[2] https://datatransferproject.dev/
[3] https://ec.europa.eu/commission/presscorner/detail/en/ip_20_194

2. Do you think there are sufficient tools and mechanisms to "donate" your data?
3. In which of the following domains do you see potential for the use of 'contributed' data

In this context, EDiMA would like to emphasise its members' commitment to GDPR and in particular data subjects' consent as a key basis for the processing of personal data. Under GDPR there is always purpose limitation: personal data must be obtained for specified, explicit and legitimate purposes. Additional security and ethical implications should be carefully considered when data is accessed by third parties.