Introduction

The Netherlands welcomes the idea of a Data Union Strategy. European cooperation towards a mature data economy and society is necessary for improving our competitiveness, supporting our shared values and fostering our digital strategic autonomy. As an active participant in the discussion on the European Data Strategy, its legislative framework, and in (sectoral) data-sharing initiatives, the Netherlands welcome continued efforts to strengthen the European data economy and society.

In order to achieve this, the Netherlands believes we need to 1) **Streamline existing data regulations**, while **respecting the timeframe of proper implementation and evaluation** of such regulations, 2) **Invest in creating self-sustainable revenue models** for data sharing initiatives, 3) **Stimulate the reuse of public sector information** 4) Strengthen **the European Data Innovation Board**, and prevent overlapping structures in European Data Governance, 5) **Create a single regime on international data sharing**, preventing fragmented international data flow regulations and an increased administrative burden for companies, public authorities and organizations operating internationally.

The importance of a strong and mature data economy and society in the European Union

The Netherlands believes a strong European data economy can have enormous benefits. Our member states face significant challenges in areas such as healthcare, education, energy transition, mobility, logistics, housing, and public services. Data sharing plays a crucial role in addressing, monitoring, and anticipating these societal challenges.

The Netherlands is deeply embedded in the data economy and strongly advocates for the ideas of the **European Data Strategy**, and its legislative instruments like the **Open Data Directive (ODD)**, the **Data Governance Act (DGA)** and the **Data Act (DA)** - all important for fostering trust in (re)using data across countries and sectors. This trust is indispensable for facilitating seamless data sharing, which in turn fuels innovation, enhances competitiveness, and strengthens the EU's strategic autonomy in the global digital arena. To build upon these efforts, the Netherlands recommends the following input on the Data Union Strategy:

1. **Streamline existing data regulations, while respecting the timeframe of proper implementation and evaluation of such regulations**

The EU's regulatory landscape for data is comprehensive. The Netherlands acknowledges that the possible inconsistencies between these regulations may come with administrative and compliance-based challenges, hindering their effectiveness. We therefore welcome a streamlining effort. However, given that two of these regulations aimed at creating opportunities for improving Europe’s competitiveness, the DA and DGA, have only recently come or are yet to come into force, we would like to stress the importance of proper implementation and evaluation before altering the material provisions in these acts. This ensures that the core principles of data protection and fair competition are not compromised. Parallel, more guidance on the interrelation between the ODD, DGA, DA with the GDPR is needed.

2. **Invest in creating self-sustainable revenue models for data sharing initiatives**

For European data spaces to flourish and become integral to the digital economy, they must have long term financial viability. The Netherlands emphasizes the need to explore and establish diverse, innovative, and self-sustaining revenue models for existing initiatives, before exploring additional mechanisms for public financial support. This could involve, for instance, premium services, data product development, or shared cost models, ensuring that data sharing initiatives can continue to grow, innovate, and provide value without perpetual external public funding from the EU or member states.[1] The Netherlands believes the focus on economic sustainability will attract more private investment and ensures the longevity of critical data infrastructures, ultimately bolstering Europe's data sovereignty and competitiveness, and therefore contributing to the maturity of the European data economy and society.

3. **Stimulate the reuse of public sector information**

To unlock the full potential of public sector information (PSI), the European Commission must focus on actively promoting its reuse. Simply publishing data is not enough. Without encouraging and supporting reuse, PSI remains underutilized, limiting innovation and the realization of economic and social benefits.

For effective publication, clearer harmonized licensing, formats, and technical standards across the EU are needed to ensure consistency and quality. This can only be achieved if high standards of anonimisation and legal protection for citizens and companies are ensured. PSI should also be made AI-ready by structuring, standardizing, and enriching datasets, with strong alignment to GDPR to cohere data reuse with the protection of privacy and provide practical, trust-building guidance for secure, compliant data sharing.

On the reuse side, it is essential to foster collaboration and provide resources that help non-expert users understand, access, and leverage PSI effectively, maximizing its societal impact. This includes offering capacity-building initiatives such as training and workshops to equip both public sector staff and external users with the skills needed for reuse, as well as creating incentives and support programs that encourage innovation and the development of value-added services based on PSI.

4. **Strengthen the European Data Innovation Board, and prevent overlapping structure in European Data Governance**

Effective governance is the bedrock of a trustworthy and efficient data economy and society. Herein, the European Data Innovation Board (EDIB) should play an important role. The EDIB should be better aligned with the activities of BEREC. Furthermore, it is important to provide the necessary financial and administrative support so the EDIB can fulfill its mandate as set out in the DA and DGA. Crucially, this involves preventing the proliferation of overlapping or redundant governance structures. With new digital legislation, various new European governance structures have been established. A streamlined and coherent governance framework could increase

[1] Sustainable Revenue Models for Data Sharing Initiatives | Report | Government.nl

effectiveness, minimize administrative burden, reduce fragmentation, and provide clarity for all stakeholders - thereby accelerating innovation and trust in data sharing.

5. **Create a single regime on international data sharing, provide clear guidelines and prevent fragmented data flow regulations.**

In an increasingly interconnected global economy, predictable and clear rules for international data sharing and storage are becoming increasingly important. The economic costs of fragmented data flow regulations are significant. It is therefore important to strike a balance between the economic costs of fragmented data regulation and the trust benefits of data safeguards. The Netherlands asks for clearer guidelines for companies, public authorities and other organizations operating internationally on the provisions on international data flows and storage in the DGA, DA and GDPR, and their interrelation. The risks of international data transfer, including third-country surveillance and dependency on non-EU platforms and cloud providers, should be better addressed.

The Netherlands believes the GDPR's adequacy decisions framework offer a strong foundation to build upon. Expanding this approach to include safeguards for non-personal data has the potential to decrease the administrative burden while simultaneously taking into account the mixed nature of most datasets. Preventing fragmentation by providing clear international data-sharing guidelines will hence aid the scope and value of the European data economy and society.