The New Hanse
Data Commons Working Group

29 June 2023

Working session, Berlin

The New Hanse

Hamburg

We will take photos for blog posts, etc. on our website

All material will be made available afterwards

We have a **parking lot for topics**, to be picked back up

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Agenda

8.30 – 9.00	Check-in and breakfast	
9.00 – 9.05	Welcome and kick-off	Francesca
9.05 – 9.20	Presentation of preliminary recommendations stream leads	Aline
9.20 – 10.00	High-level discussion on recommendations kicked off by city view	Aline & stream leads
10.00 - 10.30	Discussion of 1/3 of recommendations	Aline & stream leads
10.30 - 10.45	*Short break*	
10.45 - 11.15	Discussion of 2/3 of recommendations	Aline & stream leads
11.15 - 11.45	Discussion of 3/3 of recommendations	Aline & stream leads
11.45 - 12.00	Wrap-up and next steps	Francesca & Aline
12.00 – 12.20	Main stage: “The future of production and the role of cities” – in German	Geraldine de Bastion
12.20 – 12.40	Main stage: Interview: “Governing AI and Data Democratically, putting it at the service of People and the Planet“	Francesca Bria & Geraldine de Bastion
13.00 – 14.00	*Lunch*	
14.00 – 15.30	Open community session: Using data for the public interest (hosted by The New Hanse & ODIS).	Francesca & stream leads

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Presentation of preliminary recommendations

by Aline

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Making data accessible for the public interest

SUMMARY

1. At a legal level, a **General Data Sharing law** should mandate the sharing of information of interest for the public given that conflicting protection laws are respected, esp. business secret and data protection laws.

2. The information to which access is mandated **must carry only minimal re-identification risk from personal data.**

3. The General Data Sharing law and other legal tools must include **legal procedures to clarify data access claims** and resolve conflicting claims about whether and how conflicting laws are respected.

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Managing data for the public interest with an intermediary

SUMMARY

4. City/municipal administrations must set up a **data intermediary** (ranges from a data-sharing contract between the city and other parties to a fully fledged organisation handling data pooling, information exchange, security and other issues.

5. At a policy level, an authority must set the **boundaries of form and function of the intermediary, through an entity** that does not maximise profit, but serves a clearly defined **public-interest mission** and shall involve different stakeholders, with a board or decision-making body formed by key stakeholders from the city.

6. At the procedural (technical) level, a **general framework** shall be agreed and adopted, that puts forward an **ontology**, defining roles, actors, processes, relationships and specifying **contracts** required.

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The context of sharing data for the public interest

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SUMMARY

7. The intermediary, while being local, must generate a **network of similar and coordinated mechanisms**, feeding into a data sharing use case repository for accessibility and to help/ease legal and technical discussions.

8. The competent authorities, at least but not limited to data protection authorities, must build up a common **legal use case repository** to collect, systematise and publish all data sharing cases that have been pending before them with details on the legal issues and solutions.

9. It is the data intermediary's responsibility to establish a shared and standardised **tracking mechanism to quantify and evaluate the public value** generated by data sharing.

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Making data accessible for the public interest

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1. At a legal level, a **General Data Sharing law** should mandate the sharing of information of interest for the public given that conflicting protection laws are respected, esp. business secret and data protection laws.

This solves:

a) the incentive problem
b) the legal uncertainty about whether certain information can be shared.

Implementation:

- required by relevant legislative levels, at the EU level, the national level and the municipal level.
- should be as general as possible, but different legal mechanisms are required for cities to gain rights of access to this information, among them licensing and procurement.

Making data accessible for the public interest

2. The information to which access is mandated **must carry only minimal re-identification risk from personal data.**

This avoids:

- collisions and
- legal costs associated with data protection laws.

The risk must be minimised by the data contributors, based on advice and recommendations by the legislator and/or the data intermediary (see following).

Making data accessible for the public interest

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3. The General Data Sharing law and other legal tools must include **legal procedures to clarify data access claims** and resolve conflicting claims about whether and how conflicting laws are respected.

Only this enables:

- Exercised data access claims in practice

Managing data for the public interest with an intermediary

4. City/municipal administrations must set up a **data intermediary**.

It can be:

- A data-sharing contract between the city and other parties (specifying information access and purposes)
- A fully fledged organisation handling data pooling, information exchange, security and other issues.

- The appropriate mechanism depends on available resources and needs of the city and the range of problems to be resolved, but their functions and purposes do not.

Managing data for the public interest with an intermediary

5. At a policy level, an authority must set the **boundaries of form and function of the intermediary.** Municipalities should adapt those at the urban level according to the needs of each use case.

Characteristics:

- An entity that does not maximise profit, but serves a clearly defined **public-interest mission**: independent, operating typically at the municipal level. → ensures trust, speed and agility to ease transaction costs associated with legal and administrative discussions.
- Should involve different stakeholders, with a board or decision-making body formed by key stakeholders from the city.

Managing data for the public interest with an intermediary

6. At the procedural (technical) level, a **general framework** shall be agreed and adopted.

Characteristics:

- Must put forward an **ontology** that defines roles, actors and processes and relationships between them.
- Specific care on description of **contracts** required around use and limitations of the information being shared.
- Must be tailored in detail to each use case (using what we propose as a use case development kit), and each contract is described precisely using quantifiable terms to enable the acceleration of low level processes, minimising human participation, hence limiting transaction costs and enhancing reusability.

The context of sharing data for the public interest

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7. The intermediary, while being local, must generate a **network of similar and coordinated mechanisms**.

- These should feed into a data sharing use case repository, i.e.
  - shared ways and protocols to categorise,
  - describe, quantify and thus standardise data sharing scenarios,

making them easily accessible to each other, and to help and ease legal and technical discussions.

The context of sharing data for the public interest

8. The competent authorities, at least but not limited to data protection authorities, must build up a common **legal use case repository**.

Characteristics & tasks:

- Collect, systematise and publish all data sharing cases that have been pending before them with details on the legal issues and solutions.
- This allows others to build on knowledge and harmonize criteria across administrations and public bodies.

The context of sharing data for the public interest

9. It is the data intermediary's responsibility to establish a shared and standardised **tracking mechanism to quantify and evaluate the public value** generated by data sharing.

- Data sharing should require users to share information on how data is used with the intermediary.

Wrap up & next steps

by Francesca, Aline, Ariane

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Open community session: Using data for the public interest

by The New Hanse x ODIS

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Our Vision & Project

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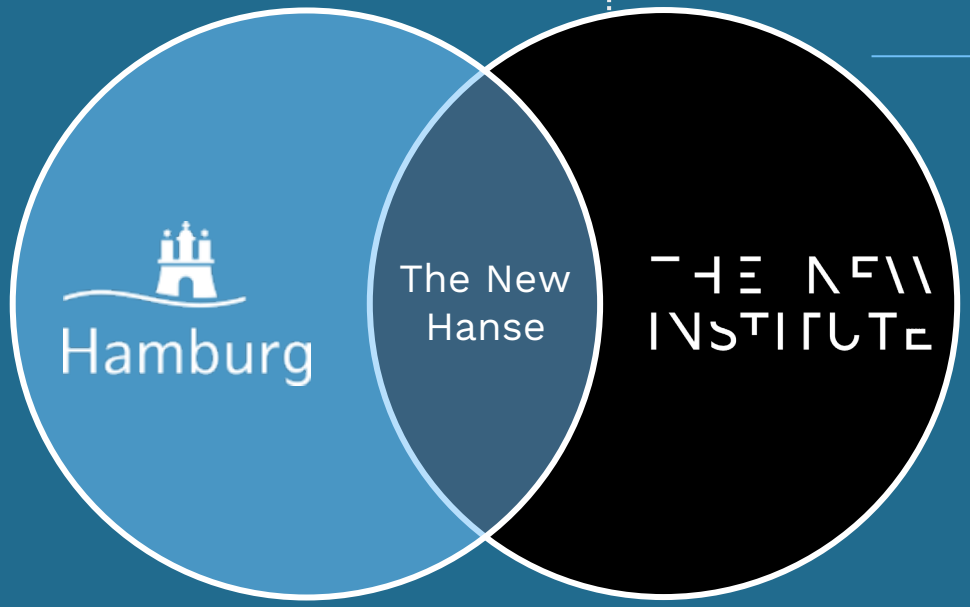
The New Hanse is a collaborative urban innovation project exploring, testing and disseminating new data governance models for the public interest, enabling net zero policies. Headed by Jan Pörksen & Francesca Bria



The goal is to support the City of Hamburg on its chosen path to becoming a **model city for democratic digitalisation and net zero transformation**

Cities are laboratories for new practices and democratic standards for data sharing that protect citizens digital sovereignty and enable the EU Green Deal.

Europe as Regulator of the Digital Age (Data, AI Act) and as **Entrepreneurial State**, with innovation rooted in democratic principles and values.

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Data sharing for the public interest

We want to help cities leverage the transformative and democratic potential of data and digital infrastructures through **data sharing for the public interest.**

In this way, we hope to contribute to **creating greener digital cities that are more inclusive, liveable and participatory.**

We see **data as public infrastructure**, a public good that should create **public value** and be at the service of cities and citizens to take better decisions and actions.

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From Business to Government to Society (B2G2S): We aim to develop, test, and scale new collective, fair and democratic data management and governance models to stimulate the urban innovation ecosystem.

A win-win-win not winner-take-all: Businesses as well as governments and the citizens will benefit from a stronger data ecosystem, ensuring data protection, trust and fair competition.

A path towards progressive green digital cities: We will capture our insights in blueprints that enable cities to replicate and scale B2G2S data sharing frameworks, informing national and EU levels.

New models of data governance

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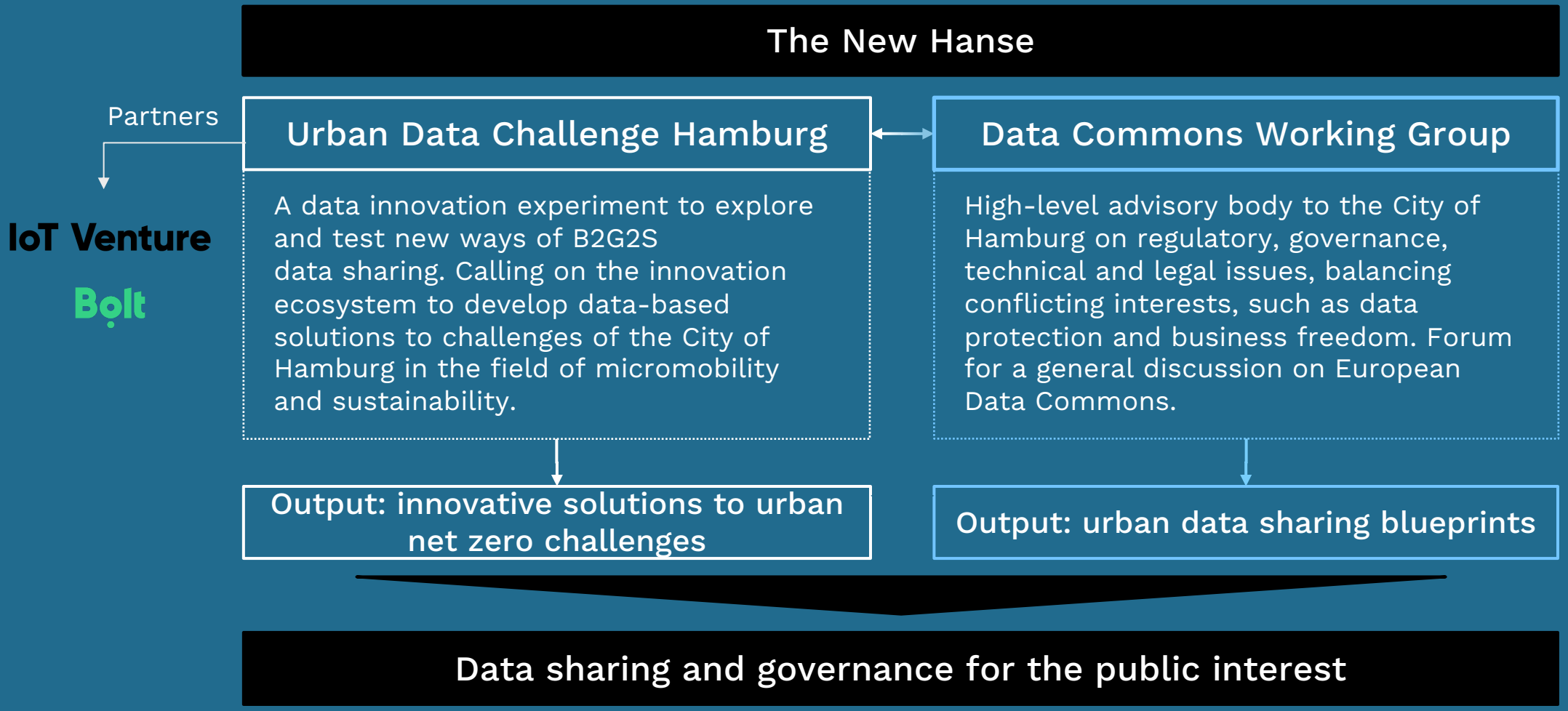

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Identify problem: Our use case is the pop up bike lane on Hamburg‘s Reeperbahn. With the help of innovative organizations and both, shared public and private data we will **analyse** its impact on nearby **micromobility flows**.

Recruit partners: The data for solving the challenge will be provided by the City & our strong industry partners: **Bolt & IoT Venture,** each adding unique data sets on e.g. geolocation, speed and vehicle status information.

Call for solutions: Our call was answered with **>30 applications** from diverse organizations from academia, start-ups, large companies, and service providers from inside & outside of the EU.

Implementation: Soon a winning team will be selected and announced. We are very excited for the implementation phase to start and to see the prototype that will be built!

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DCWG Chair & Stream Leads

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Introduction

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4 tables – 2 rotations – 1 community

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Do we need a universal data sharing law?

1

What constitutes public interest?

2

Do cities need a data sharing intermediary?

3

What are relevant use cases?

4

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