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***Data altruism in the European Union law***

*Abstract of the doctoral thesis*

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## **I. Research background**

The dissertation focuses on the concept of data altruism. Data altruism is the term used for the voluntary sharing of personal and non-personal data for purposes of general interest. It can facilitate such goals as improving health care, preventing or mitigating natural disasters, improving the quality of public services, supporting and advancing scientific research, or combating climate change.

The concept of data altruism has been in place not only in the European Union, but around the world, for at least a decade, and yet for many years it was not subject to legislation that explicitly regulated this model of data sharing. For this reason, data altruism has evolved from existing market-based data exchange or sharing mechanisms, but this development has not been – and still is not – as dynamic as the development of other forms of data sharing. This leaves the potential of data to achieve general-interest goals largely unexploited. For this reason, in May 2022, a regulation addressing data altruism was adopted in the EU under the Data Governance Act. The established legal framework aims to increase the availability of data in the EU data market and the possibility of using it for the public good. It also introduces mechanisms to ensure that data altruism is seen as a trustworthy model for sharing data. This is intended to encourage individuals, but also companies, to share personal and non-personal data. The new regulations have already entered into force, but their application will not begin until September 24, 2023.

## **II. Research questions**

The considerations undertaken in the dissertation aim to answer several research questions. The main research question of this dissertation is "does the normative model of data altruism adopted in the Data Governance Act allow achieving the regulatory goal of building trust in altruistic data sharing?".

The following auxiliary questions are used to explore the answer:

- 1) How is data altruism defined in the literature and what are its constitutive conditions?
- 2) How has data altruism been practiced until now?
- 3) How has data altruism been regulated in the Data Governance Act?
- 4) Can altruistic data sharing be practiced on the basis of legal solutions provided by EU law other than the data altruism model regulated by Regulation 2022/868?

### III. Dissertation structure

This dissertation consists of an introduction, four chapters, final conclusions and recommendations.

In the introduction, I explain the essence of the research problem, the research questions, the scientific methods used, and introduce the basic concepts related to the dissertation topic.

Chapter I focuses on the analysis of the data altruism and serves to answer the first research question of how data altruism is defined in the literature and what are its conditions. In this part, I aim to create a comprehensive picture of data altruism on the basis of the research conducted to date, albeit limited, on the broad concept of sharing data for the common good. In this chapter I discuss, *inter alia*, the subjective and personal scope of data altruism, the goals of data altruism and the most commonly used models of sharing data for philanthropic motives. I also present the reasons why different actors engage in data altruism, as well as the risks associated with it.

In Chapter II, I review ten examples of altruistic data sharing, seeking to answer the second research question of how data altruism is practiced. I selected the examples based on the criteria for data altruism identified in the literature and discussed in the previous chapter.

Chapter III serves to answer the third research question, i.e. how data altruism has been regulated in the Data Governance Act. In this section of the dissertation, I not only present the model of data altruism adopted in the EU, but also evaluate it, showing the various legal uncertainties identified in the regulation. I also refer to the regulatory objectives of the Data Governance Act, thereby pursuing an answer to the main research question.

In Chapter IV, I verify whether data altruism can be practiced through other legal instruments aimed at increasing data sharing in the EU data market. The chapter thus contains an overview of selected solutions, other than the model of data altruism under the Data Governance Act, which can be used for altruistic data sharing or to achieve general interest objectives. This way, I try to determine to what extent other legal instruments in force in the EU can be used in the framework of data altruism, and whether using them fulfills the conditions of data altruism.

The conclusion serves to summarize the findings in the context of the main research question. Here I also present recommendations that, in my opinion, can contribute to removing the recognized flaws in the regulation of data altruism.

#### **IV. Research methods**

The primary research method is dogmatic. The dogmatic analysis was carried out on the EU legal acts regulating issues related to the subject of the dissertation, in particular, the Data Governance Act, proposed legal acts and materials created during the legislative process, such as impact assessment reports. The subject of analysis was also the interpretations of existing and proposed legal solutions adopted in the literature.

An empirical and comparative methods were also employed for the study. These methods were used to observe examples of data sharing for altruistic motives, resulting in the case studies in Chapter II and demonstrating how data altruism functions in practice.