

## Relationship between Infrastructural Design and Choice of Data Governance: Example of the European Health Data Space (EHDS)

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### Abstract

The Commission's communication on a European strategy for data articulates the vision of a single European data space to amplify data accessibility and drive innovation. This strategy includes establishing common European data spaces in strategic sectors and areas of public interest, with the European Health Data Space (EHDS) being the inaugural venture. Integral to this vision is the concept of 'data governance,' which encapsulates the structural and procedural frameworks governing data access and utilization within these spaces. Although the concept of 'data governance' lacks a unified definition, it communicates a framework that sets the parameters for technical, managerial, and contractual aspects of data networks. An effective framework is imperative for enabling participants to leverage available data resources and create value-added products and services.

The infrastructure governing technical specifications and parameters for data usage assumes a critical role in fostering robust ecosystems and advancing the digital economy. Moreover, the establishment of common European infrastructures and management bodies holds the potential to influence follow-on commercial interactions with external stakeholders. This aspect is reminiscent of orchestrators in digital ecosystems and necessitates careful consideration to mitigate any adverse impacts on market dynamics and competition.

This raises several questions about the interplay between infrastructural design and data governance choices within common European data spaces. The argument posited in this presentation contends that infrastructural design profoundly shapes data governance mechanisms and institutions. This argument is exemplified by examining the EHDS proposal, which presented two distinct infrastructural design options: the ‘federated’ and ‘orchestrated’ architectures and their implications for data governance frameworks.

