



DIGITAL TOURISM NETWORK WORKSHOP

A CODE OF CONDUCT FOR DATA SHARING IN THE TOURISM SECTOR

CONCEPT PAPER

14 JULY 2021, MICROSOFT TEAMS

The value of data

Data is the world's most valuable resource: it changes the rules for markets and it demands the attention of regulators. Data is not simply databases of names and other specific personal data, such as age, sex and income, that is collected online. Competitiveness is driven by analysing rapid real-time flows of often unstructured data: the streams of photos and videos generated by users of social networks, the reams of information produced by commuters on their way to work, the spending habits and sentiments created by buyers and reviewers.

The European data strategy announced legislative measures to create the necessary overarching governance framework for a data-agile economy and to address common data-sharing issues between different sectors and domains. Such measures are intended to prevent any harmful fragmentation of the internal market through inconsistent actions between sectors and between the Member States.

Accordingly, the horizontal measures proposed in the Regulation on European data governance^[3] (the 'Data Governance Act', adopted by the Commission in November 2020), the planned measures in the Implementing act on high-value datasets under the Open Data Directive (Q3 2021) and the upcoming Data Act (Q4 2021) will create trust and fairness in data access and reuse. These will enable the full potential of data as an enabler of social and economic welfare in Europe to be realised. Specifically, such measures aim to develop a general cross-sectoral data governance framework, make available more socio-economic high value and high quality public sector data for businesses, including SMEs, and enable better access to and control over the data to ensure a fair distribution of value generated by data along the data value chain.

[3] [COM\(2020\) 767 final](#).

The EU has put in place a solid and trusted legal framework for the protection of personal data and a standard for the world with the General Data Protection Regulation^[1] and ePrivacy Directive^[2]. Consequently, common European data spaces will operate within the rules of the existing legislation on the protection of personal data.

Why a Code of Conduct for data sharing

Access to data is fragmented and not open to all. Feedback received so far with regards to digitalisation of tourism pointed to the need share data. The workshop on tourism and data at the European Tourism Convention in October 2020 asked for a data space for tourism. The 27 May Council Conclusion also called for more cooperation on data in tourism.

Our ambition is to set up a common European data space for tourism. This would enable access and sharing of data to public and private stakeholders. It would be based on a governance system defined by the actors taking into account their relevant roles and apply relevant standards and interoperability protocols, to ensure data is available for both the sector and for cross-sector data use.

A voluntary Code of Conduct on data sharing, prepared by industry and destination managers, is the first step in this direction. It has the potential to identify the main elements that should form part of that data space and create the common understanding that will define the governance of the future data space for tourism, thereby shaping our work in the years to come.

The Code aims to enable all players to engage in voluntary agreements beyond legal obligations, but it should also be in line with the **policy and regulatory framework** at EU level. From the digital market perspective, regulatory developments related to data governance will have an impact on data access, sharing, and ownership. From the competition perspective, it is essential that anti-competitive practices, such as sharing of competitive information and/or cartel formation are not encouraged.

Elements of a Code of Conduct

As a set of rules, agreed on a voluntary basis, a Code of Conduct clarifies the main elements that should be taken into account when deciding which data-sets are shared and how to exchange those data-sets.

This starts with the **key question of which data are more likely be shared and which data is most desirable to have**. This will give us an initial understanding of which data sets we should concentrate on.

Based on this understanding, the next steps shall be to clarify the following elements:

- **Who has this data?**
This shall examine who are the **actors** involved (public and private actors) and **where the data is being exchanged** (e.g. B2G, B2B, B2C)?

- **How can this data be exchanged?**

^[1] [OJ L 119, 4.5.2016](#), p. 1-88.

^[2] [OJ L 201, 31.7.2002](#), p. 37-47.

This shall examine how that data should pass between participants (e.g. in streams, shared on a platform, or a mix of both based on use cases?) and how to guarantee that data is continually supplied and exchanged. This will help produce a **model of data flows**.

Should this follow existing practices? For example:

- Peer-to-peer exchange (e.g. the GAIA-X/IDSA Reference Architecture Model) where data only flows between the participants without a central platform?
- Platform based, where data from different sources is centralised on a single platform.
- Enabling data streams, where data flows on agreement without the need of a data space?

- **How often should data be exchanged?**
 - Could it based on a service level agreement (without the contractual obligations)?

- **Who can access the data?**
 - Should access be only available to those willing to reciprocate?
 - Should access be given to all? Or only to all, for particular data sets? g?

- **What infrastructure and technology is needed to share data?**
 - What technical **standards** are needed to share information?
 - What should the API look like?
 - How can safety and security be guaranteed?

- **What are the main challenges for making data transferable?**

- **What is already being exchanged and how? Can we build on this?**

Goal

The European Commission invites stakeholders to work together in drafting a Code of Conduct outlining general principles for data sharing in the tourism sector, taking into account different interests and use cases.

This workshop kicks off this initiative by inviting all interested parties to share their views on the questions posed above. Participants are also invited to send their comments in writing by August, 31, 2021 to [Dr Misa Labarile](#) at the DG Internal Market, Industries, Entrepreneurship and SMEs of the European Commission, Unit G1 (Tourism and Textiles).