

Position Paper

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The Guild's position on the Data Union Strategy

We want to thank all the members of The Guild's Heads of Digital Research and Open Science working groups.

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The Guild's position on the Data Union Strategy

Introduction

Knowledge generated through research serves as the engine of today's societies. Universities and those involved in knowledge creation and dissemination through education, research, and innovation are crucial to this progress, with the availability of high-quality data and digital tools serving as key enablers. Given the digital transformation and the rise of AI over the past few years, an update to the 2020 Data Union Strategy was needed to provide clarity for stakeholders in the data ecosystem. Nonetheless, the proposed new Strategy requires greater precision in its operational design, particularly where new instruments, such as data labs, intersect with existing infrastructure, including legal frameworks and sectoral Data Spaces to be used across the entire stakeholder ecosystem.

The Guild reiterates its contribution to the European Commission's call for evidence on the Data Union Strategy¹ and [the Digital Omnibus](#), noting that the wider stakeholder ecosystem must be considered in the revision process of the Digital Omnibus, including research organisations. Additionally, there needs to be clarity on mandates, access pathways, and governance responsibilities. This is essential to avoid duplication, ensure legal certainty, and uphold the conditions needed for scientific excellence. A future-proof data framework must recognise that universities and public research bodies play a vital role as both users and providers. Their needs should be acknowledged to foster a sense of value and inclusion in legislative alignment efforts in the Digital Omnibus, the upcoming ERA Act, and related initiatives.

Reflecting on the Commission's vision set out in the Data Union Strategy, The Guild urges policymakers and co-legislators to prioritise research interests throughout inter-institutional negotiations and the implementation of the Digital Omnibus, fostering shared purpose and mutual benefit in building a balanced, interoperable, and research-centric data ecosystem central to delivering a successful Data Union.

1 – European Commission – Have your say. (2025, July 18). European Commission. https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14541-European-Data-Union-Strategy/F3581288_en

Pillar I: Scaling up access to quality data for AI and innovation

Interaction of data labs with existing Common Data Spaces and the EuroHPC ecosystem

The Commission defines data labs as data service providers that link Data Spaces to the AI ecosystem, providing companies and researchers with secure, practical access to high-quality datasets and the support they need to comply with EU rules. As such, data labs are intended to offer tools, guidance, and trusted environments for data pooling, curation, labelling and pseudonymisation.

While those services are crucial to unleashing the potential of AI, they can also be assigned to other entities. One prominent example is the European Health Data Space (EHDS) Regulation, which delegates pseudonymisation to the Health Data Access Bodies (HDABs). The EHDS Regulation also foresees Secure Processing Environments (SPEs), which are provided by the HDABs and will be further specified in an implementing act. Further, the EHDS Regulation obliges Data Altruism Organisations established under the Data Governance Act to use an SPE to process personal electronic health data. These provisions need to be carefully considered in light of the Digital Omnibus, which aims to merge the requirements of the Data Governance Act and other legislation into the Data Act, ensuring data sovereignty and trust for all stakeholders.

The above exemplifies the importance of clear governance oversight, interoperability, and legal responsibility. At the same time, we note that the data labs are a voluntary service, hence it is critical to make them as easy and clear to access for researchers as possible. Clarifying governance structures will help stakeholders understand responsibilities and prevent potential duplication efforts already undertaken by HDABs, European Open Science Cloud (EOSC) nodes, national SPEs, or university-operated research infrastructures.

As the data labs are intended to serve as accessible entry points to the Data Spaces, their position within the broader ecosystem of AI Factories, EuroHPC, and European Digital Innovation Hubs remains unclear. This becomes apparent when considering that access to, for example, AI Factories is only available after an application is submitted. According to the Commission, data labs would, for instance, provide a secure environment for data analysis within Data Spaces in healthcare, manufacturing, energy, climate, languages, cybersecurity, and cultural heritage. This raises the question of how the European Digital Innovation Hubs will serve as contact points for matching data needs, if data labs, for now, can only be accessed via the AI Factories. In addition, the Data Union Strategy tasks the data labs with bridging Data Spaces and AI ecosystems by providing practical links that enable companies to access high-quality, interoperable data by connecting Common Data Spaces to AI developers, infrastructure, and sectoral ecosystems, while, this task is also partially assigned to the European Digital Innovation Hubs.

For universities, this raises concerns, such as the prospect of reduced autonomy in designing secure research workflows, since academic infrastructure may be superseded or bypassed by centrally defined EU facilities. It is essential that the scientific workflows of universities are not deprioritised in comparison to SME-oriented mechanisms if universities choose to use data lab services, thus safeguarding researchers' independence and research integrity.

Strategic data assets: Public sector, scientific, cultural and linguistic resources

The Commission notes that it will continue to map existing databases, set priorities in consultation with experts, and fund new digital infrastructure. The Guild urges further clarification of the criteria and procedures for selecting these experts, as the involvement of experts recognised by the wider research community is crucial for transparency and for ensuring that research needs are accurately represented in the prioritisation process.

Horizontal enablers: Synthetic data, data pooling, and standards

The Commission expresses its ambition to develop guidance and standards for the trusted use of synthetic data, examine related legal questions, and explore the possibility of establishing a 'synthetic data factory' to provide access to high-performance computing and guidance on data pooling and exchange. The Commission will allocate funding through Horizon Europe to fund cutting-edge R&D on synthetic data generation techniques. Guidance on the use of synthetic data is highly appreciated, as it can advance research without exposing potentially sensitive personal information. It is essential that guidance is also addressed to the research community and is based on comprehensive stakeholder consultation.

Pillar II: Streamlining data rules

The Guild agrees with the Commission that the EU's data framework must remain practical. Legal ambiguities significantly impact Europe's research activities, as emphasised in a report prepared for the Commission, in the context of the ERA Policy Agenda 2022-2024². These are often found where data and digital legislation intersect, hindering researchers from undertaking cross-border or interdisciplinary projects that are essential to the digital transformation and the realisation of the EU's Data Union.

To further streamline data rules and establish a more robust EU legal framework, leveraging open science based on FAIR principles for reliable reuse of research data, alignment with the to-be-revised Data Act and the forthcoming ERA Act is imperative.

2 – European Commission: Directorate-General for Research and Innovation. (2024). Improving access to and reuse of research results, publications and data for scientific purposes: study to evaluate the effects of the EU copyright framework on research and the effects of potential interventions and to identify and present relevant provisions for research in EU data and digital legislation, with a focus on rights and obligations. Publications Office of the European Union. <https://data.europa.eu/doi/10.2777/633395>

Simplifying the EU's data acquis

The Guild welcomes the decision to retain the rules on public-sector data-sharing, previously under the Data Governance Act and the Open Data Directive, and to merge them into the Data Act. It is important to underline that the benefits of these changes extend beyond the SME environment, as research-performing organisations, including universities, can be considered public sector bodies that also provide data.

In the context of the Data Act, it is essential that requirements on the sharing of data obtained in the context of an exceptional need with research organisations or statistical bodies are maintained, [as previously stated by The Guild and other organisations](#). Accordingly, data holders, regardless of their size, shall not be entitled to 'a reasonable margin', especially when the data access is requested for research purposes. As the Article does not further specify the concept of 'reasonable margin' and it is not reflected in the Commission's proposal on the Digital Omnibus, The Guild calls on co-legislators to introduce explicit amendments to define the concept of 'reasonable margin'. The Guild would also like to reiterate that provisions on 'Union legal acts governing rights and obligations related to data access and use' should remain unchanged, as they provide not only much-needed clarification on the use of data for scientific research purposes but also an avenue to strengthen this area in the future.

Building a future-proof data framework

The Guild stresses that, in addition to the Digital Fitness Check, legislative instruments should also systematically evaluate and consider their impact on scientific research and data innovation ecosystems. To this end, it will be critical to include research stakeholders in *ex ante* consultations and impact assessments for future legal instruments.

Support for stakeholders

The Guild appreciates the Commission's intention to boost the adoption of the Common Data Spaces through the Common Data Spaces Support Centre, and with the support of the data labs, to offer advice on how to comply with EU law, including copyright, trade secrets, and competition law. Furthermore, it needs to be ensured that public sector bodies, such as universities, will benefit equally from the forthcoming measures outlined by the Commission on model contractual terms for data sharing, which will reduce legal complexity and clarify what can be charged for data sharing.

Pillar III: Safeguarding the EU's data sovereignty through a strategic international data policy

The Commission aims to ensure fair data access and cross-border data transfers, to protect sensitive EU non-personal data through safeguards, and to deepen cooperation with trusted partners. At the same time, the Commission is acting more assertively to defend EU interests and regulatory autonomy, with proportionate measures when openness is abused or vulnerabilities are weaponised. Safeguarding fair cross-border data flows and data sovereignty must consider that research and innovation should be as open as possible and as closed as necessary. Therefore, data sovereignty rules should be balanced with the proportionality, academic freedom, and institutional autonomy set out in the Council Recommendation on enhancing research security. The Guild [advocates](#) for processes that mitigate risks while accounting for the risk of not collaborating internationally.

The Guild welcomes the Commission's efforts to link EU data-sharing ecosystems and global data governance with those of like-minded third countries, including supporting services such as Common European Data Spaces for cross-border sharing and the promotion of the European Trusted Data Framework, the Digital Partnership Network, and the consideration of a trust label linked to the data spaces maturity model to facilitate cooperation with governments and businesses abroad. These efforts need to be aligned with provisions in sectoral legislation, such as the EHDS Regulation.

Given the list of forums the Commission intends to engage with, it should be clarified how the Commission will engage with African partner countries and or regional bodies. The Data Union Strategy cites the International Digital Strategy for the European Union, which outlines opportunities to advance partnerships, policy dialogue, and investment with countries worldwide, including through the EU-Africa Global Gateway Investment Package. The Global Gateway Strategy includes the digital sector, education and research as key areas of partnership. This strategic coherence in policymaking and strategic investment in digital infrastructure can enable university networks to serve as central actors in innovation and digital diplomacy, particularly in health, climate, biodiversity, and AI for development. An inclusive approach would support reciprocity, capacity building, and responsible data flows, while strengthening the EU's strategic interests and reinforcing global partnerships.

