

Data sharing for the public interest – a legal perspective on data philanthropy

This research project is about data philanthropy, a concept understood as the voluntary sharing of data necessary to achieve public interest purposes. Such purposes may include, for example, improving health care, raising quality and standards of living, better preventing natural disasters, mitigating their negative impacts more easily and quickly, etc. Data philanthropy can drive the development of the data market and contribute to a better use of data, i.e. benefit members of society instead of generating profits mainly for private entities that aggregate and process data. Indeed, it is worth remembering that in the case of personal data, it is the society that produces large amounts of data, so it should benefit most from the effects of its processing. Therefore, it is crucial to conduct a research aimed at better understanding and popularization the concept of data philanthropy.

Although we have already seen various examples of data philanthropy in practice, the concept still raises numerous legal questions. The potential of data sharing for the public interest is thus not fully exploited. Apart from many positive effects of data sharing for the public interest, there are also potential risks for individuals or other entities that wish to share their data voluntarily and without financial advantages. Such risks include, for example, breaches of personal data protection or significant economic interests of companies. Data philanthropy, after all, may involve data that requires higher level of protection, including sensitive data or trade secrets.

The aim of the project is to formulate proposals that will contribute to a faster development of data philanthropy in Poland and in the European Union. The research will therefore focus on the legal analysis of the concept of data philanthropy, in particular from the perspective of personal data protection and the flow of non-personal data. Different legal acts already in force in the EU and in Poland and legislative proposals that directly or indirectly refer to the concept of data philanthropy will be examined. This assessment will be complemented by observations on the functioning of different data sharing models. In addition, all factors that have an influence, positive or negative, on the development of the data philanthropy will be identified. Such evaluation will allow for verification whether it is necessary to introduce legal norms comprehensively regulating data sharing for the public interest, or whether it is sufficient to adjust already existing legal solutions through appropriate amendments or adoption of soft law instruments. As a result, appropriate *de lege ferenda* postulates will be formulated.

The findings of the research will be disseminated in Poland and abroad, particularly in the form of a monograph, academic articles and conference papers. Thus, my study will contribute to the development of personal data protection law and will complement the existing legal gap as well as the existing doctrinal discussion in the area of data sharing.