



**CONTRACTUAL ARRANGEMENT**  
**SETTING UP A PUBLIC-PRIVATE PARTNERSHIP IN THE AREA OF DATA**  
**BETWEEN**  
**THE BIG DATA VALUE ASSOCIATION**  
**AND**  
**THE EUROPEAN UNION**

The Big Data Value Association (registered offices: rue de Trèves 49/51, 1040 Brussels, Belgium), hereinafter referred to as ‘the Private Side’, and the European Union, represented by the Commission (jointly hereinafter referred to as ‘the Parties’),

CONSIDERING THAT:

- The European Union’s Horizon 2020 Framework Programme for research and innovation<sup>1</sup> may be implemented through public-private partnerships taking the form of a contractual arrangement between the partners committed to supporting the development and implementation of research and innovation activities of strategic importance to the Union’s competitiveness and industrial leadership.
- The specific programme implementing Horizon 2020<sup>2</sup> has identified potential areas for establishing public-private partnerships.
- The rules for participation and dissemination in Horizon 2020<sup>3</sup> apply to the indirect actions to be financed by the Commission in the context of this arrangement.

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<sup>1</sup> Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104).

<sup>2</sup> Council Decision (EU) No 743/2013 establishing the specific programme implementing Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC (OJ L 347, 20.12.2013, p. 965).

<sup>3</sup> Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying

- The Commission Communication of 21 September 2011 on *Partnering in Research and Innovation*<sup>4</sup> recognises that public-private partnerships in research and innovation are a means of strengthening the Union's competitiveness in key areas of industrial research.
- In its Communication *Towards a thriving data-driven economy*<sup>5</sup>, the Commission underlines the important role a contractual public-private partnership (cPPP) can play in developing a data community and encouraging the exchange of best practices, as well as the high level of trust that is essential for the data-driven economy.
- The proposal received from the Private Side has been evaluated by the Commission services, assisted by independent experts, and found to fulfil the criteria referred to in Article 25(3) of Regulation (EU) No 1291/2013. The attached multi-annual roadmap can be taken as a basis for the cooperation under the present arrangement.
- Pursuant to Article 3 of its statute, the Big Data Value Association will engage in a public-private partnership with the European Union to promote R&I in the 'big data' industry in order to foster European big data value technology leadership for job creation and prosperity and to accelerate Europe's innovation process so as to provide successful solutions for industry and society at large.
- This contractual arrangement constitutes an agreement by the Parties to lend their best endeavours to achieving the objectives. This arrangement shall give rise to no liability on the part of either Party vis-à-vis the other,

RECOGNISING THAT:

- The Parties' respective responsibilities in the above areas are mutually reinforcing.
- Due regard should be given to the Parties' respective competences and operational frameworks,

HAVE DECIDED THE FOLLOWING:

1. SCOPE: The present contractual arrangement establishes a public-private partnership between the Parties in the area of big data (hereinafter referred to as 'the partnership'), to be implemented in an open, transparent and efficient way. The general objectives of the partnership in support of Union policies, and in particular of the specific objectives of the Horizon 2020 Framework Programme, are:

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down the rules for participation and dissemination in 'Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020)' and repealing Regulation (EC) No 1906/2006 (OJ L 347, 20.12.2013, p. 81).

<sup>4</sup> COM(2011) 572.

<sup>5</sup> COM(2014) 442.

- to foster European big data technology leadership for job creation and prosperity by creating a Europe-wide technology and application base and building up competence and the number of European data companies, including start-ups;
- to reinforce Europe's industrial leadership and ability to compete successfully in the global data value solution market by advancing applications converted into new opportunities, so that European businesses secure a 30 % market share by 2020;
- to enable research and innovation work, including activities related to interoperability and standardisation, for the future basis of big data value creation in Europe;
- to facilitate the acceleration of business ecosystems and appropriate business models with a particular focus on SMEs, enforced by Europe-wide benchmarking of usage, efficiency and benefits;
- to provide and support successful solutions for major societal challenges in Europe, e.g. in the fields of health, energy, transport and the environment; and agriculture
- to demonstrate the value of big data for businesses and the public sector and increase acceptance by citizens, by involving them as 'prosumers' and accelerating take-up;
- to support the application of EU data protection legislation and provide for effective mechanisms to ensure its enforcement in the cloud and for big data.

2. **SPECIFIC OBJECTIVES:** The Parties will cooperate, on the basis of the roadmap in the Annex, to develop, implement and support a multi-annual research and innovation agenda. The roadmap, including objectives and Key Performance Indicators (KPIs), will be further developed in cooperation with interested Research family DGs. The roadmap will ensure consistency of the activities of the contractual agreement with existing EU policies and initiatives (such as e-freight or multimodal travel and traffic data). The roadmap will avoid duplication with other R&D initiatives at EU or national level.

The specific objectives of the partnership are to:

#### OBJECTIVES FOR IMPROVED COMPETITIVENESS

- enable European suppliers to secure a 30% share of the global big data market by 2020;
- develop solutions leading towards the use of big data value technology for increased productivity, optimised production, more efficient logistics (inbound and outbound) and effective service provision from public and private organisations;
- create new big data ecosystems and markets between data providers, knowledge providers and consumers that will profit from collaboration between sectors, organisations and individuals;
- develop and diffuse a better understanding of the business opportunities of the big data sector; and
- drive the take-up and integration of big data value services in private and public decision-making systems..

## INNOVATION OBJECTIVES

- optimise architectures for real-time analytics of data at rest and in motion, enabling data-driven decision-making ‘on the fly’ with low latency, and improve the scalability and processing of data validation and information discovery, especially in heterogeneous datasets;
- validate technologies from a technical and business perspective through early trials in cross-organisational, cross-sector and cross-lingual innovation environments;
- integrate advanced visualisation of data and analytics for augmented user experience and prepare platforms, technologies and tools for disruptive changes in the management of data;
- develop and provide validated technology and tools for ‘deep data analysis’ to improve the understanding, deep learning and meaningfulness of data, by raising awareness of the importance of data definition for optimal information content; and
- structure a Big Data cluster and value chain that will allow for future coordination of actors (suppliers, R&D centers, public actors...).

## SOCIETAL OBJECTIVES

- support widespread know-how, education and skills in Europe through curricula to stimulate higher education provision taking into account and establishing appropriate collaboration links with the "Grand Coalition for Digital Jobs provision"<sup>6</sup>, and making appropriate use of the "European Guidelines and Quality Labels for new Curricula Fostering e-Leadership Skills"<sup>7</sup>, and the European e-Competence Framework<sup>8</sup>;
- increase the number of European data workers by 100 000 by 2020;
- face Europe’s societal challenges through ‘lighthouse’ projects and i-spaces in areas such as personalised medicine;
- create new personalised and enhanced products and services adapted to citizens’ and organisations’ needs that will respect security and ensure privacy and personal data protection of individuals in the framework of relevant EU rules;
- foster trust in the data-driven economy, including through incentivizing the application of the principles of privacy and security by design as well as the cooperation with relevant authorities in case of data breaches and cyber incidents;
- address European framework aspirations such as IPR rights, liability, etc. within the Digital Single Market and pan-European innovation environments; and
- address acceptance of new big-data technologies by society and consumers by identifying and removing potential barriers.

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<sup>6</sup> <https://ec.europa.eu/digital-agenda/en/grand-coalition-digital-jobs>

<sup>7</sup> <http://www.eskills-guide.eu/home/>

<sup>8</sup> <http://www.ecompetences.eu/>

## OPERATIONAL OBJECTIVES

- implement Europe-wide strategic ('lighthouse') projects for specific reference deployments of existing or near-to-market technologies that demonstrate the potential impact of big data value creation across sectors;
- encourage SME participation in this initiative so that they represent at least 20% of all participant organisations;
- create an environment for productive research and innovation activities by using proven approaches, including clustering actors around key research and innovation areas;
- maintain an effective flow of information between cPPP projects that overcomes barriers and promotes synergies while respecting individual beneficiaries' interests and rights;
- enable cooperation between projects in support of common targets to positively impact European society and industry;
- establish a governance model that provides for efficient decision-making at the level of activity concerned and at the same time ensures openness and transparency;
- organise public consultations on ethical issues; and
- raise awareness and ensure that individuals are given all necessary information as regards the use of personal data collected from them, in compliance with EU data protection legislation.

3. **ACTIVITIES, INVESTMENT and OUTPUTS:** The partnership's research and innovation activities to be co-funded under the Horizon 2020 Framework Programme will be subject to the Horizon 2020 rules on participation and dissemination. For 2016-20, the Commission (DG Communications Networks, Content and Technology) intends to allocate an indicative financial envelope of EUR 534 million for those activities. The allocations will be included in the periodic Horizon 2020 work programmes.

The Private Side commits itself to attracting the stakeholder community's investment in research and innovation activities in the form of support, complementing the Commission's, for projects implementing the research and innovation agenda under the Horizon 2020 Framework Programme, and of other outputs outside it, as referred to in point 6 and in the Annex.

4. **GOVERNANCE:** The Parties will establish a Partnership Board as the main mechanism for dialogue to reach the objectives of this contractual arrangement. The Board will comprise of members nominated by the Private Side, ensuring proper representation of the wider community of stakeholders, and Commission officials led by the services managing the EU financial contribution.

The Board will establish its rules of procedure on the basis of a harmonised proposal by the Commission, which will cover *inter alia* issues relating to confidentiality, transparency and the avoidance of conflicts of interest. The Parties may also meet at high level to review the work of the Board, take stock of progress achieved by the partnership and discuss further ways of enhancing cooperation.

The Private Side will decide on its own governance structures and implement the appropriate consultation processes, based on openness and transparency, to ensure that all relevant stakeholders are involved as appropriate in the preparation of the inputs to the Commission.

5. **SPECIFIC COMMITMENTS BY THE COMMISSION:** The Commission commits itself to giving due consideration to inputs and advice from the Private Side in order to identify research and innovation activities to be proposed for financial support under the Horizon 2020 Framework Programme. To that end, it undertakes to maintain regular dialogue with the Private Side during the preparatory phase of the drafting of the work programmes referred to in Article 5 of the specific programme. In this context, the Commission will ensure through the Partnership Board's rules of procedure that the inputs and advice received from the Private Side are developed with the involvement of all relevant stakeholders as appropriate and will pay particular attention to the openness to new members of the Private Side's governance structure.
  
6. **SPECIFIC COMMITMENTS BY THE PRIVATE SIDE:** The Private Side commits itself to providing inputs and advice to the Commission to achieve the objectives of the partnership, in particular to contribute to identifying research and innovation activities to be included in the Horizon 2020 work programmes in view of financial support following the calls for proposals. It also undertakes to:
  - leverage the cPPP investments through sector investments of four times the total estimated cPPP budget;
  - establish an open, transparent and inclusive approach to determining and updating the Multi-Annual Roadmap;
  - ensure, together with the public side, an average of 20% SME participant organisations;
  - support the *ex post* assessment of the implemented projects;
  - leverage the results achieved in the market and in the context of global standards and interoperability
  - ensure that the achieved results are fully compliant with EU legislation;
  - leverage on KIC EIT ICT Labs (Knowledge and Innovation Community selected by the European Institute of Innovation and Technology) to develop skills and competences in big data value;

- actively involve all relevant sector players, in particular from the application areas, and put in place mechanisms to secure their participation for the successful development of innovative new business models;
- work with other PPPs to align goals and activities so as to ensure synergies; and
- provide a governance model which on the one hand promotes openness, transparency and representativeness, and on the other hand ensures efficient management with minimal overheads.

The Private Side will provide evidence that it is fulfilling its commitment to the objectives of the partnership, addressing the key performance indicators, and ensure that the specific commitments expressed in terms of investments (see Annex) are respected. It will invite the Commission to attend its General Assembly and other relevant meetings, subject to its own procedures.

7. MONITORING: With due regard to their respective competences, institutional settings and operational frameworks, the Parties will regularly inform and consult each other, as appropriate, in particular in order to monitor the progress of the partnership towards its objectives and assess the impact of its activities and the leverage of additional investments. The key performance indicators will include the following:

#### IMPACT ON INDUSTRIAL COMPETITIVENESS AND THE ECONOMY

- European suppliers enabled to secure a 30 % share of the global big data market by 2020;
- cPPP investments leveraged through sector investments by four times the cPPP's total estimated budget;
- SMEs participating in the cPPP projects under this initiative represent at least 20 % of participant organisations;
- increased competitive European provision of big data value creation systems and technologies;
- increased number of European companies offering data technology, application and services, including start-ups, by 2020; and
- increased revenue generated by European data companies (in absolute and relative terms) by 2020;

#### SOCIO-ECONOMIC IMPACTS

- enabled advanced personal data protection, consumer protection and security respecting solutions for data access, processing and analysis in line with the existing and future EU level rules on the protection of personal data;
- 100 000 more European data workers by 2020;
- 10 % less energy consumed by big data analytics;
- new economically viable services of high societal value, e.g. personalised medicine applications; and

- Higher establishment and availability of big data value creation skills development in partnership with the EIT ICT Labs;

#### OPERATIONAL ASPECTS

- efficiency, transparency and openness of cPPP's consultation processes, demonstrating clear value added in the use of public funding; and
- technology progress in line with the roadmap established via the Multi-Annual Roadmap, and its updates.

The Commission will regularly monitor progress towards achievement of the objectives, for the duration of the contractual arrangement and for three years afterwards, in particular on the basis of evidence to be provided by the Private Side.

8.       **APPLICATION OF THIS ARRANGEMENT:** Any provision of this contractual arrangement takes precedence over the Annex. Any issues relating to the interpretation and implementation of the arrangement will be resolved in consultation between the Parties. Amendments to this arrangement may be requested by either of the Parties by registered letter.

9.       **DURATION AND REVIEW:** This contractual arrangement will enter into force on 1 January 2015 and remain in force until 31 December 2020. Either of the Parties may at any time communicate by registered letter its intention to terminate this arrangement, giving reasons for doing so. The termination will become effective three months after the sending of this letter.


No later than 30 June 2018, the Commission will undertake, with the assistance of independent experts, a review of the performance of the partnership and progress towards its objectives. On the basis of the review, the Commission may request amendments to this contractual arrangement or decide its termination. A final review will be undertaken before the end of Horizon 2020.

10. ANNEX: Multi-annual roadmap for the partnership.

Done at Brussels, on 13 October 2014, in duplicate in the English language.


**FOR THE BIG DATA VALUE  
ASSOCIATION**

**FOR THE EUROPEAN  
COMMISSION**



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**Jan SUNDELIN**  
President



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**Neelie KROES**  
Vice-President for Digital Agenda