How can Public & Private Sector Collaborate & Create Responsible Data Partnerships to Gain a Competitive Advantage in the Market – While also Serving the Public Interest?

WHITEPAPER 2023

H.E. Abdulla Gharib Alqemzi, Acting Director General of Statistics Centre – Abu Dhabi, and H.E. Ahmed Khalifa Al-Qubaisi, CEO, Abu Dhabi Chamber of Commerce & Industry, co-hosted a Roundtable on the sidelines of GITEX 2024 for Data-Driven Industry Leaders to advance collaboration between the public and private sectors.

Content

Opinions shared by authors in this Whitepaper doesn't necessary reflects SCAD's but those of the authors

FOREWORD

"Data for Good Alliance: Pioneering a New Era of Innovation in Abu Dhabi"

H.E. Abdulla Gharib Alqemzi
Acting Director General, Executive Director of Data Sector, Statistics Centre – Abu Dhabi

In an era where data is the cornerstone of progress, Statistics Centre - Abu Dhabi (SCAD) hears the calls for a data-driven ecosystem built on partnerships to unlock innovation.

Our transformation in SCAD over the past two years has been profound, but it is just the beginning. We have shifted from traditional methods of data collection to a more dynamic, collaborative approach. This whitepaper encapsulates a vision of fostering a data-centric culture, where partnerships and shared knowledge pave the way for a prosperous future in Abu Dhabi and beyond.

In partnership with the Abu Dhabi Chamber of Commerce and Industry (ADCCI), the voice of the private sector in Abu Dhabi, we launched the "Data for Good Alliance" during GITEX. This alliance is more than a concept; it's a commitment to a future where data is not just numbers on a page but a catalyst for meaningful change. The alliance, will stand as a testament to what can be achieved when public and private sectors unite with a common goal:

to harness data for the betterment of society and the economy.

This forward-looking approach stems from the guidance of the wise leadership in Abu Dhabi that is shaping and steering Abu Dhabi's rapid evolution. Abu Dhabi's aspirations and ambitions, as the capital of capital and a Falcon Economy Strategy, is not meant only as a hub of economic activity but also a beacon of innovation and forward-thinking.

The new data protection and privacy laws introduced in the UAE in 2021 provide a robust framework, ensuring that our journey towards data excellence is both secure and ethical.

As we support in unlocking the potential of data and innovation, we are dedicated to embedding a culture of ethical data use within our organization and across governmental entities in Abu Dhabi. Our forthcoming innovation hub symbolizes this commitment, offering a platform where synthetic data opens new horizons for research and commercial endeavors.

As you delve into this whitepaper, I ask that you consider how the "Data For Good Alliance" will revolutionize data use in Abu Dhabi and beyond, fostering a collaborative environment where data is a shared asset, driving innovation and growth.

We stand at the threshold of a new era in data utilization, where the collaboration between SCAD and ADCCI is just the beginning. Together, we are laying the foundation for a data-empowered future, where information is not just gathered but utilized to its fullest potential for the good of all.

Private Sector Need to Leverage & Exchange Data to Make Better Decisions

H.E. Ahmed Khalifa Al-Qubaisi,
CEO of the Abu Dhabi Chamber of Commerce and Industry

SCAD operates according to an extremely high global standard. As such, I am not at all worried about exchanging data, which is well secured with the Centre. I believe that exchanging data will definitely be a win-win situation in terms of sharing useful information because SCAD and ADCCI would then be able to convert this raw data into very meaningful data for the private sector. As data serves as the foundation for our digital economy, we must pay careful consideration to this element. To be able to amplify the role of the private sector in the future, we need to leverage our data and exchange and translate it in a way that will help us to innovate and make better decisions.

At ADDCI, earlier this year we updated our strategy 2023-25, and we have focused on three main pillars that are core to our mandate. We are essentially a Networker, a Service Provider, and a Policy Advocator. When we are collecting the data, we are helping to craft or change our policies or regulations in collaboration with the government, to influence these laws or regulations and thereby continue to provide a business-friendly ecosystem conducive to private sector-led growth. By being a Networker, we organize and take part in events aimed at supporting the private sector, just like what we did at the GITEX roundtable. As the voice of the private sector, we make sure that the sector's voice is heard. As a Policy Advocator, we lead a series of sectorial committees, each with a focus on health, education, construction, transportation, trade, and more.

Help Me to Help You by Sharing Your Data!

H.E. Saeed Ali Obaid Al Fazari,
Executive Director of the Strategic Affairs Sector of the Department of Culture and Tourism, Abu Dhabi.

We should not talk about the best-case scenario around data sharing, but we should talk about reality. Many companies say they are going to provide access to their data, that they are going to collaborate. But the Data is not reaching us. The mobility data is not reaching us. Spending data, except for Visa and Mastercard who know how to monetize their data, is not reaching us, but in the end, we need more granular data.

As a member of the Abu Dhabi government, I am putting my hat in the ring. I am going to invest with SCAD. We need to help investors come to the region. We need to help different partners. Taking the tourism industry for example, we need to help retailers, we need to help hoteliers understand their position in the market and if they are spending in the right areas. If Majid Al Futtaim had a mall in Abu Dhabi, I could help them understand if they should have more Indian or Chinese restaurants in their food court.

I could help you do that as a regulator in my field, but am I getting the data? I am not! I believe there is a trust issue between the private sector and the public sector, and we need to bridge that gap. As a government, perhaps we need to incentivize partnership. Discussions like this could help bring some reality to the issue, and not just give the best image.

ROUNDTABLE SURVEY RESULTS:
BALANCING PRIVACY & INNOVATION

Incentives play a pivotal role in motivating businesses to Engage in data collaboration that benefits Abu Dhabi's broader Development goals

The current challenges preventing the private sector from actively participating in data collaboration with government entities are multifaceted. Understanding these challenges is essential to remove barriers and foster a conducive environment for public-private partnerships. It directly impacts the success of data-driven initiatives, economic growth, and innovation in Abu Dhabi. Addressing issues like data security concerns, regulatory ambiguities, and a lack of incentives can lead to increased private sector engagement, resulting in a more efficient utilization of data resources. This can accelerate economic opportunities, drive innovation, and promote the overall growth of the data economy in the Emirate.

Fostering collaboration and creating data partnerships is imperative to gain a competitive advantage in the market for both public and private sectors?

6% Disagree

94% Agree
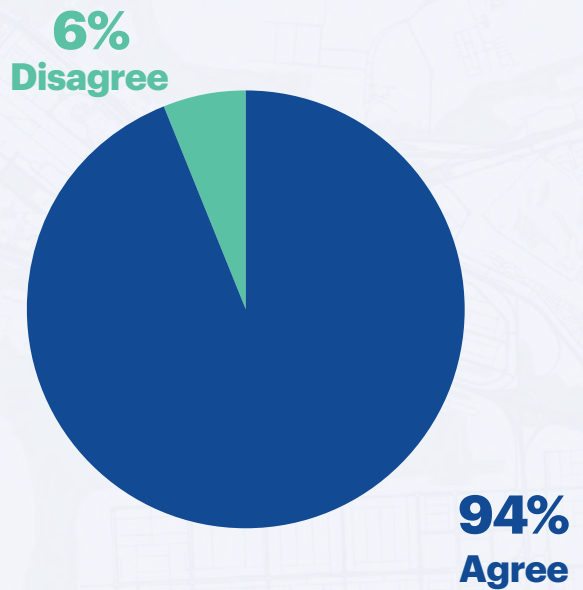
Establishing the unique data requirements and preferences of the private sector is essential. It allows for realistic data-sharing frameworks that align with all stakeholder objectives. This not only enhances trust and cooperation but also ensures that data resources are utilized efficiently. Accurately catering to these data needs cultivates a more cooperative and adaptable environment, ultimately bolstering Abu Dhabi's capacity to generate economic opportunities.

Incentives play a pivotal role in motivating businesses to engage in data collaboration that benefits Abu Dhabi's broader development goals. Whether through financial rewards, preferential access to resources, or opportunities for joint innovation, the right incentives can catalyze private sector participation in data sharing initiatives. This is a foundation for developing a strategic framework that not only promotes economic growth but also harnesses data as a powerful tool for advancing Abu Dhabi's prosperity and competitiveness.

It is critical to develop a strong data governance framework to instill trust among all stakeholders and drive innovation and digital skills forward in Abu Dhabi. This process involves clear policies, stringent data security measures, building talent capacity and embedding transparent accountability mechanisms. By promoting transparency, data ethics, and responsible data handling, this framework ensures that data is used in a manner that fosters confidence among private and public sectors alike.

What are the highest barriers to deeper data collaboration between the private and public sectors?

Barrier	Percentage
Data Protection concerns	26%
Lack of awareness of benefits of data sharing	22%
Lack of Incentives for private sector	19%
Fear of losing competitive advantage	18%
Lack of Governance framework	15%
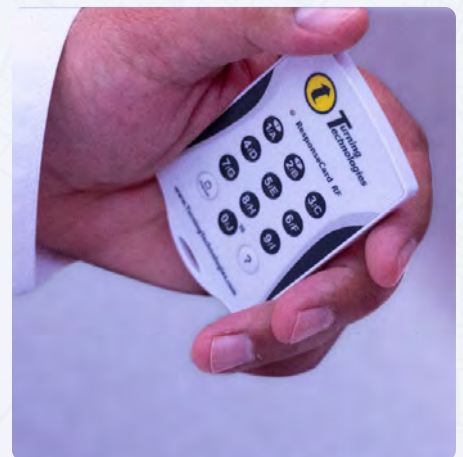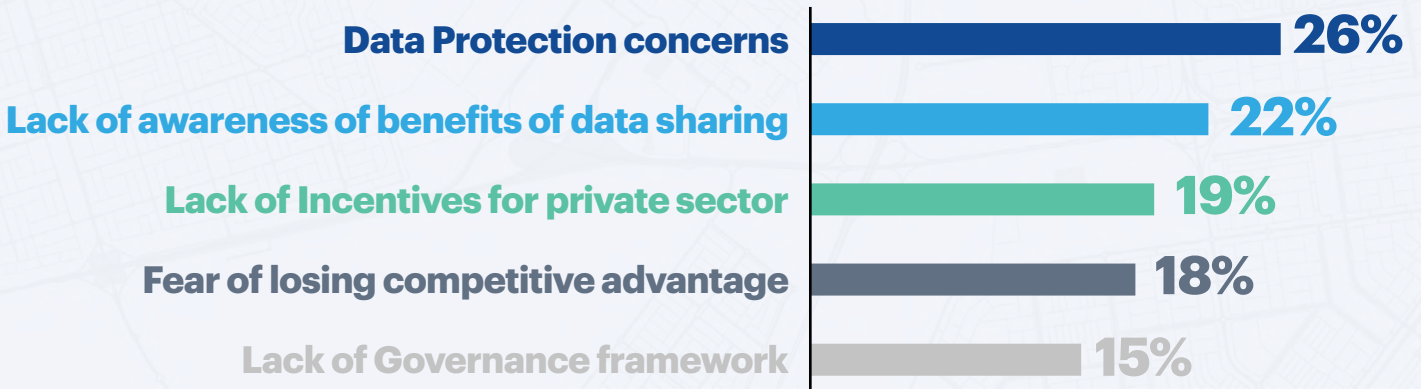
Trust is the cornerstone of successful data collaborations, enabling stakeholders to share insights and resources, driving innovation that can address societal challenges and boost economic growth in Abu Dhabi.

To actively promote the growth of the data economy in Abu Dhabi, the government should advance key measures and investment initiatives. This includes establishing data innovation hubs and fostering partnerships between academia, industry, and government entities to encourage innovation and skills development.

Technical, basic, and broader skills related to data must be improved across the private and public sectors to reduce barriers to data collaboration.

8%
Disagree

92%
Agree
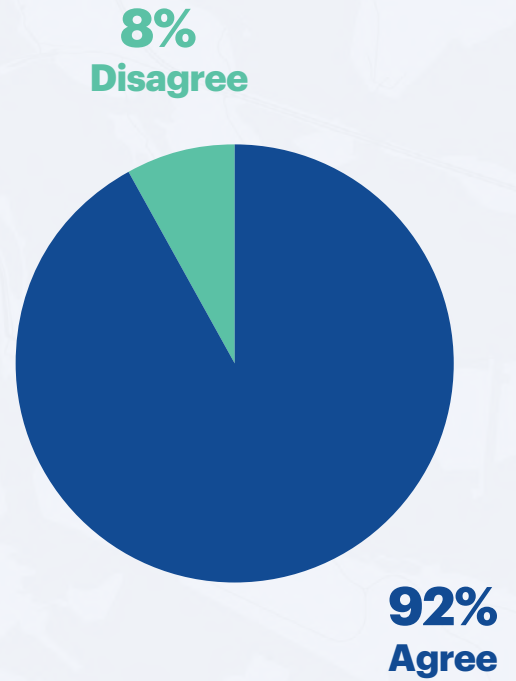
What is a greater accelerator for the economic advancement of all?

Transparency – making data assets available **81%**
Confidentiality – data hoarding and protection **19%**

There must be incentives in place for two-way data sharing, so that the private sector can keep improving their competitiveness and the public sector can keep producing insights for their decision-making.

Agree **100%**
Disagree **0%**

Investments in critical data infrastructure, such as high-speed connectivity and data Centres, are vital to support data-driven businesses. Implementing robust regulatory frameworks that prioritize data privacy and security is essential to build trust among all stakeholders. These initiatives collectively contribute to Abu Dhabi's regional growth and enhance its global competitiveness in the data-driven economy.

What is the greatest incentive for private sector to collaborate on data sharing with public sector?

Revenue Generation	36%
R&D - access unique Insights	29%
Reciprocity	21%
Reputation	14%
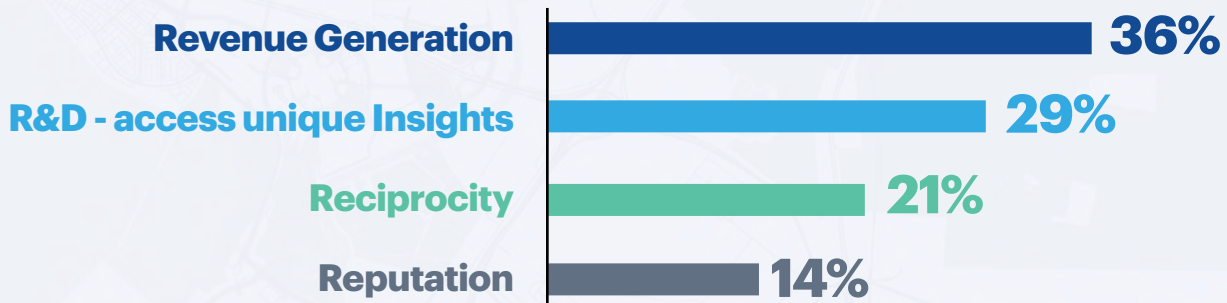
As an international benchmark, the European Commission categorizes the data maturity levels of its members – from low performing to high performing – as beginners, followers, fast-trackers, and trend-setters. How would you describe the current data sharing level and culture in the UAE between all sectors and industries?

Beginner	45%
Follower	32%
Fast-Tracker	23%
Trend-Setter	0%
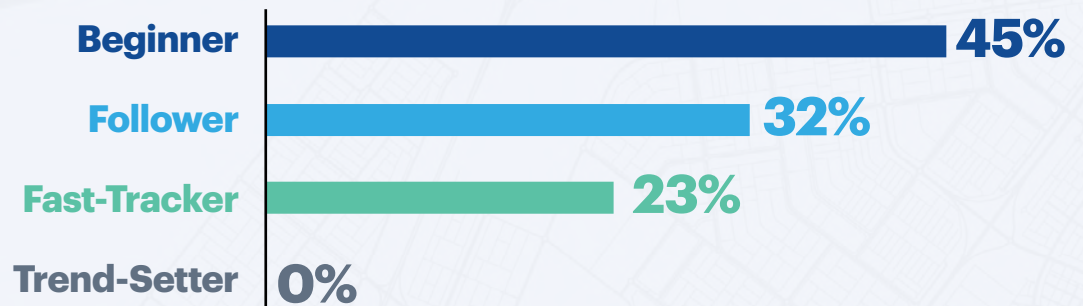
Next Step: Educate All Parties on the Opportunity to Collaborate Around Data while Incentivizing through Various Value Schemes

Akram Assaf
Co-founder & Chief Technology Officer, Bayt.com

Bayt has worked with governmental and non-governmental entities, helping them set up successful initiatives to serve some targeted audiences or influence some markets by specific interventions, whether to promote particular policies or achieve specific goals. On this front, we have been one of the pioneers in working with governmental, educational, international, and private CSR entities by engaging in such data collaboration programs. These initiatives were a mix of consultancy, barter, or CSR programs that delivered either fully functional solutions or a framework of data exchange APIs.

Some previous attempts were made to provide data exchange systems to facilitate data capture, storage, and collaboration based on third, second and first-party concerns, but nothing that answered all concerns or allowed for a meaningful fluid system between the collaborating parties. I believe that a well-designed, loosely coupled set of guidelines and frameworks to educate all parties on the opportunity to collaborate around data while incentivizing this through various value schemes such as monetary, barter, preferential treatments, or even reputational and marketing equity would be a meaningful next step.

Most of the time we are remunerated to deliver a dataset or a consultancy service to the public sector. These are well-financed programs, with some monetary value, to not only compensate any private sector for their investment in technology and human resources but also to guarantee the sustainability and success of these programs. In other programs, it was either through barter agreements or a pure CSR basis. We worked with government entities from the UAE, KSA, GCC, and the MENA region and other international and educational organizations such as the World Bank, Mercy Corps, University of Chicago, and others.

In general, when we engage in such programs, we classify our own data assets into the following categories. First, a set of data that we cannot use or exchange due to some legal or ethical considerations. On the other side, there will be data that we deem important for our competitive advantage, and we will usually keep private or exchange through financially viable incentives and secured pathways, and finally, data that we see as meaningful to exchange for the benefit of our communities, and the economies we are operating within.

With the massive amount of data accumulated, there are basic challenges for you as an organization to make use of this data. You need to create some kind of references or mappings to reduce the noise of variations and bring about meaningful interactions. Technologically speaking, we must build terminologies that bridge various job titles, skills, and competencies from across geographies, industries, and languages and even the intrinsic human differences in expressing natural language into your tools and solutions.

On the other side, I would like to highlight some of the most important complexities of working with data at this level. In fact, making use of such massive data, either internally or externally, entails certain risks and challenges, whether it is legal or ethical risks, operational risks, or financial risks. These risks require, on an organizational level, specific technological fitness, team education and upskilling, and operational capabilities to classify, store, and exchange this data without compromising legal, privacy, or organizational interests.

Certainly, even now in the UAE, and in many other countries in our region, privacy laws are being enforced, albeit at various levels of maturity. These laws should be very well understood by the organization and all

stakeholders who are dealing with the data, internally and externally. An active education process is essential as a basic prerequisite for understanding how to work with data from a security and privacy perspective and in terms of technical and cost viability. When data is either departing an organization or being captured, there should be lots of checks and balances to ensure the safety of this data across all the aforementioned concerns.

Bayt.com – Big Data Management Case Study

In our endeavor to bridge talent and opportunities in the Middle East and North Africa, Bayt.com had to work with datasets on both sides of our marketplace, whether the professionals or the organizations engaging these professionals, including structured and unstructured data. This type of data has a unique nature due to the fuzziness and variability of how employers or candidates express themselves on our platforms -- it's basically when someone is writing something about themselves, explaining their experience, they will use a set of words, terminology, and interesting keywords that vary from one person to another, possibly for the same concept. Mapping this data to a well-known, understood reference is essential to make sense of this data.

We have about seven million additional new professionals joining us annually, with tens of millions of active candidates in any single year. To serve these users, we must make sense of the data by synthesizing it using foundational information aided by the likes of today's large language models. Ultimately classifying, matching, and explaining this data in the context of skill sets, job titles, economic sectors, specific companies' professional requirements, and other related information. We have to work with this and other operational data not only to create our products but also to build cascades of decision-making frameworks to approach our operational & marketing requirements.

Collaboration will Deliver Data Unification & Seamless Connectivity Among Various Platforms

Haider Khan
CEO, Bayut & Dubizzle

In this digital age where people consume most of the information online and make key decisions using digital platforms, it's essential that we prioritize data transparency and awareness. As the market leader in the second-hand automotive market, at dubizzle we can clearly see there is a gap between listed prices and actual transaction prices. This information is often elusive. The challenge we face is data unification and seamless connectivity among various platforms. We believe there's immense value in understanding both new and used markets, but bridging this gap and offering transparent data will go a long way in fostering trust in not just our platforms, but the overall economy.

We have already witnessed the benefits of such a strategic partnership through our successful collaboration with Dubai Land Department, which has enabled us to present validated property transaction history to our users, helping property seekers making informed decisions, whether the market is booming or cooling off.

To achieve these objectives, we believe in collaborating with government entities, as their involvement helps raise awareness and build trust in the economy. We possess substantial data related to the used marketplace, primarily operating on a cash basis. This data can provide untapped insights into buying and selling trends, the impact of global inflation on the used marketplace and its connection with the new marketplace. At this point, what we really need to focus on is the establishment of a robust framework. That's why I am looking forward to a 'GOVERNANCE framework', a structured system, led by the government, that can pave the way for a transparent, interconnected marketplace."

Visa is Building Data Hubs to Enable Sharing

Nur Topcu
Director, Visa Consulting & Analytics

Data collaboration between private sector and governments has been evolving as the power of factful market data becomes inevitable, while data sharing frameworks to enable collaboration are being developed and implemented by public-sector bodies. To enhance private and public sector data collaboration, Visa has been building data hubs with government entities where consumer-spend data is integrated with public sector data to generate insights that supports public sector policy and strategies.

Visa collaborates with leading government entities in the UAE and the region around tourism and culture, economy, statistics, digitalization, competitiveness, investments, and resident well-being. As a global payments technology leader, Visa utilizes its database to develop consumer behavioral insights which help governments to have access to real time, factful insights on their markets. Especially in mature markets such as UAE, where card transactions constitute a high portion of overall consumer spend, integrity of Visa spend data provides accurate market insights and trends.

Data Partnerships Require a Clear Objective to Succeed

Mete Guney
Executive Vice President of Services, Eastern Europe, Middle East and Africa, Mastercard

With respect to collaboration between Private Sector and Public Sector stakeholders, there are many cases where we failed in the past because we did not start with a clear objective. We just said that, okay, we have data, you have data, let us come together, and honestly, it did not work. But it was much more successful when you started with an objective.

For instance, we are working very closely with several governments in the region to attract more tourists to their country because at Mastercard we know all the international travelers -- why they travel; what they do

when they travel; how much money they spend and when they make their travel decisions. This can help countries make smarter decisions in terms of their marketing campaigns – which tourists do you target and what country should you focus on? And this really helps a lot in terms of driving results because we are starting with the objective: attract more tourists to the country!

To make this public-private partnership successful it should have some commercial outcome, but it should also create something good for society. I think then we can bring them together.

Achieve Collective Comfort Around Path to Value!

Stephen Russell
Head of Analytics & Data Solutions, Majid Al Futtaim

The dynamic evolution in the consumer landscape in terms of personas and expectations have shifted the underlying definition of 'value' from one that is functional and focused on delivering transactional needs, to one that is emotional, and goes one step further towards driving a greater good across sociological and environmental realms. In such a world, collaboration between public and private sectors isn't a choice anymore, but an imperative need to 'truly' understand and act upon consumer behavior that is spread across multiple ecosystems. The 'Why' and 'How' is what we must instead focus on to ensure there is collective clarity around 'expected value' for participating entities. We need to achieve collective comfort around the 'path to value' that builds trust, whilst effectively navigating the complexity that surrounds data in terms of disparity in sources, systems, and structure in context of increasing stringencies around privacy and regulations.

Overcome Fear that Only Techies can Access Data!

Vishal Soni
Senior Technical Product Marketing Manager, Alteryx

The big question is how do you get data unified when data sits in many different places – public and private sectors -- and in many different formats, especially when it comes to the fuzziness of data -- where you've got a word that's in one database and another in a PDF and it's the same word but maybe spelt slightly different -- how do you get the two reconciled?

The reality that we are seeing is that the need for technical skills is going down, not up. There is a massive misconception that only the hardcore data analysts or data scientists are the only people who should be, or can be, extracting insights from the data. And that is not the case. The people who need to have access to the data are the subject-matter experts, the people who understand the subject field. So, if we talk about marketing intelligence for example, we should give marketers access to the data and give them the tools that they need to be able to engage the data without being able to do things like software coding.

But what we are seeing in both the public and the private sector is there is a big fear that people may misuse data if given access. There needs to be policies and frameworks in place to build trust around sharing that data. What you will see once you start to give people the right technology

so that they can actually start to find their own answers to those different analytical problems, a lot of low hanging fruit will start to emerge. Many of the valuable insights are going to become very easy to grab and you're going to be able to start sharing those within your own organizations and externally as well. You are going to see people energized. You are going to see people hungrier, and people's careers will absolutely skyrocket.

Public Sector Should Evolve its Governance Related to Data Privacy to Enable Collaboration with Private Sector

Wael Saalloum
Global Leader Data & AI, Careem

Thank you for facilitating this platform of esteemed Data industry professionals. It's a privilege to be part of a forum that recognizes the pivotal role of collaboration in driving our industry forward. UAE has already demonstrated the value of data - the ease of immigration here, airport procedures, usefulness of UAEPass, and parking is among the most advanced in any country. UAE has also established undeniable benefits to collaboration - data driven decision making, improved public services, innovation, and economic growth among many.

As we navigate the evolving data landscape, it's imperative to recognize the paramount importance of privacy. Giving users control over their data, and obtaining their informed consent, is not only an ethical imperative but also vital for long-term trust and any potential collaboration between the private and public sector. In the Middle East, people are currently comfortable with their data being widely used and shared, but this likely will not last. Privacy and collaboration need not conflict. To encourage and strengthen collaboration, therefore, the public sector should evolve its rules and governance related to data and privacy to provide a framework for collaboration

between the public and private sectors that respect user privacy.

Addressing the competitive advantage concern necessitates the establishment of a robust reciprocity framework. This could involve policies that safeguard the interests of companies that choose to share data. By ensuring that there is either a tangible competitive advantage to sharing data or at the very least no competitive disadvantage, we can encourage open collaboration while protecting the interests of participating companies.

Looking ahead, nurturing a skilled workforce is paramount. We must invest in programs and initiatives that teach data literacy, enabling individuals to not only access data but also interpret and utilize it effectively. This might involve tailored training programs, educational partnerships, and initiatives to promote data-driven decision-making at all levels. As AI and generative AI technologies become more prevalent, more people will have access to data. With tools like ChatGPT, data analysis tools may become automated, but the ability to ask the right questions will be crucial.

Path Towards a Skills-Based Labour Market is Accelerating!

Arda Atalay
MENA Regional Director, Linkedin

The labour market needs to evolve as business leaders are increasingly concerned about attracting and retaining the right talent. Candidates aren't getting what they want and need out of work – often taking roles that don't match their skills, values, and preferences, and, once employed, quitting outright (or quietly) when they hit any number of breaking points as hiring is built on an old system that relies on people's pedigree rather than what they can actually do.

For a long time, businesses hired candidates primarily based on their school, previous employers, or job titles, leaving out wide swaths of people who have the capabilities businesses are looking for. To add to that, skill sets for today's jobs globally have changed by around 25% since 2015 (27"% in the UAE) and that number is expected to double again by 2027. That means that businesses need to change at a nearly continuous rate and adopt more precise strategies in

finding the talent they need and developing the talent they have.

The solution is a labour market that prioritizes skills as a skills-first labour market matches businesses and professionals based on the most valuable currency of the job market: skills. Businesses hire and grow their people based on the skills they need. Professionals find jobs based on the skill set they have or stay in organizations because they can learn new skills.

We all have something to contribute – but businesses must lead. A skills-first labour market will take shape when leaders begin orienting their organizations around skills. We can already see more companies adopt a skills-based approach to hiring – an approach that LinkedIn has long been a champion of. In fact, 75% of recruitment professionals globally say skills-first hiring will become a priority for their company in the next 18 months and our data already shows that by prioritising candidates' skills over their formal qualifications, companies have the potential to expand their talent pools on average by nearly 10x.

With 82% of global leaders agreeing that the Human Resources function is more critical now than it has ever been, talent leaders are in the driver's seat to help businesses organize work around skills. In addition, 89% of Learning & Development professionals agree that proactively building employee skills will help navigate the evolving future of work. We've also seen that companies whose employees learn skills on the job have higher retention rates, because ideally, people help create a skills-first labour market as well.

When looking for and applying to a job based on their skills, or building skills they want – people carve out career paths grounded in what they can or want to do. For example, in light of latest technological advances, we see more LinkedIn members around the globe adding AI skills to their profiles than ever before. In June 2023, there were 9X more people with AI skills worldwide compared to January 2016. And with more than 45% of hirers on LinkedIn globally already explicitly relying on skills to search and identify candidates on LinkedIn, it's important for professionals to add them to their profiles.

There's a lot at Stake without Access to Data!

Sultan Al Hajji
Vice President for Public Affairs and Alumni Relations
Mohamed bin Zayed University of Artificial Intelligence (MBZUAI)

I believe a significant issue we face is the under-appreciation of data. Many organizations possess vast amounts of data but lack understanding of its value and how to utilize it effectively. The importance of data is becoming increasingly recognized, and it is crucial to ensure its availability for academic research before any potential restrictions are imposed.

Consider the challenges faced by many companies during the COVID pandemic, underscoring the need for robust financial and strategic planning. In such scenarios, the value of a company's data assets can become a critical factor in securing financial support. The role of universities in accessing and utilizing data for research is paramount. Today, the attitudes towards data sharing vary, with concerns about privacy and security. However, the stakes are high. This is not only about using data for commercial purposes like marketing but also about essential applications in health, disease prevention, and environmental sustainability.

Therefore, it is urgent to establish clear policies, standards, and governance for data sharing. This is vital not only for the immediate benefits of companies but also for the broader good of society and strategic national progress over the next decades.

Collaboration Enables Stakeholders to Narrow Data Uncertainty!

Natznet Tesfay
Head of Insights and Analysis, Economics and Country Risk
S&P Global Market Intelligence

At S&P Global Market Intelligence, we collaborate with clients -- public & private -- to expand their perspective, operate with confidence, and make decisions with clarity and conviction. Further, the Global Intelligence & Analytics (GIA) group within Market Intelligence collaborates with clients across sectors and from local to supranational authorities, for example to produce proprietary data like the Purchasing Managers' Index or to assign the unique ship identification numbers for the International Maritime Organization (IMO). Layering these assets with our leading technology solutions and expertise, we enable clients to narrow uncertainty and maintain their competitive advantage even as the industrial world recalibrates supply chains on an unseen scale.

A key example of our cooperation with the public sector that allows *now data* points to emerge is how we use a variety of proprietary techniques and tools to maximize timeliness and granularity of data. S&P Global Market Intelligence ingest terabytes of satellite images and blend with millions of observations released by national statistics entities to forecast sub-national economic data right down to the neighborhood level. We produce - on demand - forecasts for tens of millions of trade flows representing nearly a billion observations. In our spirit of openness, we facilitate skills transfer as well as 'Data for Good' initiatives to make a meaningful impact and accelerate progress by leveraging our data and insights for positive change.

We are constantly enriching our data and technology environment in order to 'scale up the human mind.' Firstly, we take a broader view on data accessibility – both in the underlying infrastructure needed and in bolstering data literacy. Infused into their workflow, our experts – a core user group – refine our understanding of the untapped potential and limitations of data and applied analytics. They also highlight where methodology may need to evolve and/or technology better utilized to create more robust processes and outputs. Our regular interactions with clients from across sectors and geographies in turn expose us consistently to a richly diverse set of challenges, opportunities and open questions that seed further innovation.

"CO-Opetition" not Competition!

Guillaume Thfoin
Chief Data Officer – E2E Digital Customer Relationship,
Schneider Electric

The best way to build a great technical team is to attract talent, and the best way to attract talent is with a great data culture. So, when I arrived in the UAE to work for the largest retail and lifestyle conglomerate, I went on a mission to initiate data collaborations with public, academic, and private entities.

At the time we proceeded to share gigabytes of anonymized data with the Wharton Customer Analytics initiative to bolster the collaboration between academia and our business.

What I would say about Data collaboration is that it is not about being a mercenary. Your mindset shouldn't be to sell something and then hope for a quick return. If you want to support the "data for good" movement, things will take time and you need to make an investment that can't be measured in "cold, hard, cash!"

More often than not people think: "what am I going to get if I do that? Am I going to get $100 or $100 million?"

And because it is hard to put a proper valuation on data, people may over inflate that value and therefore refuse to share such data, creating an artificial data scarcity.

However, the fact is that data is out there, in vast quantity, but without connecting it, it loses its potential value. We all sit on tons of data, thinking it is very valuable. But it is not that great. It is messy and unless we connect it, we are not going to get meaningful value out of it.

And beyond the hypothetical or actual value discussions, we get lost further between the privacy agreements, cyber security agreements and the many other data protection hurdles.

That is why I like to talk about the missionaries and the visionaries who want to create something greater than their limited and isolated data. So, it must be the people in the room who get together and decide to collaborate on data for a benefit that is not just economic.

A simple step to keep in mind is to stop talking about data sharing because that is scary to senior leadership for fear our data may lose value by being given to others. But it is more efficient to talk about data collaboration: joint value co-creation and ownership.

If we put that data to work together, we may be able to create greater economic value, that benefits both parties and possibly more. We would consider *co-opetition* versus competition – or how do we collaborate on data to create new economic value?

The idea of creating data collaborations and still gaining competitive advantage must be compatible and for that, we need to be in that visionary/missionary mindset. That's precisely where the public sector and academia can help: being a trusted party that can start and fund a movement to collect, connect and protect (through anonymization) the data from multiple parties and propose a framework for future monetization.

Public Sector Collaborations Deliver Hard Data that Always Trump Assumptions

Eva Martincova
Vice President of Stakeholder Engagement, Kpler

Kpler is a notable example of how public data is mixed with semi-public data to deliver increased transparency that enables industries and government entities to make better decisions. But it is not just about the access to raw data. It needs to be good quality data and it needs to be connected to other datasets. You also need to layer on robust technology, reliable data sourcing and data collaborations to get to the final level of market intelligence so stakeholders can understand what is happening right now as the world is constantly evolving.

On top of the public-available data, we overlay it with semi-public data – we work with various on-the-ground semi-state entities such as port authorities or inspectors, to set up partnerships on data collaboration. We exchange data in a way that benefits not just us, but our partners. We have a large team of partners in the ecosystem that use our data to understand how their own business can do things better. This collaboration is particularly important to ensure benefits for both parties, it is a win-win scenario.

For example, imagine you are a port - you not only want to know what tankers are coming to your port, but you also want to know what is happening at other ports nearby to you because perhaps you can win their business. For our partners, the main value add we offer is to support their business development goals. For Kpler, the main benefit from the collaboration is to enrich our datasets to create more intelligence that everyone can rely on.

Being able to get on-the-ground hard data is valuable because it is unique and not everyone has access to it. Many companies will try to fill this gap by doing guess-estimates or machine learning. At Kpler, we prefer to spend time working on building data collaborations because finding these hard data points is much better than making assumptions. The data is out there, you just need to find a way to get it. The priority is to get access to excellent quality, hard data through partnership agreements that benefit everyone, and then connect it to the rest of the datasets and across markets to provide insights on emerging trends or new shipping patterns.

Kpler is an online platform for real-time global trade intelligence. The company has grown from zero to $100Million revenue in 9 years. Recently it attracted $200 million of private equity investment to accelerate its growth further.

UAE Data Protection Laws Upgraded

Case Study By Pinsent Masons

The UAE has onshore federal data protection laws and offshore data protection laws specific to offshore financial centre 'free zones' – such as the Dubai International Financial Centre (DIFC) and Abu Dhabi Global Market (ADGM), which are governed under their own legal frameworks; and Dubai Healthcare City (DHCC), a Dubai healthcare free zone.

The UAE also has other laws and regulations, including emirate and sector-specific laws and regulations, that include data protection provisions. The UAE has not entered into any international agreements with a specific data protection focus.

PROTECTION OF PERSONAL DATA IN THE UAE

On 28 November 2021, the UAE Cabinet announced that it had enacted Federal Decree-Law No. 45/2021 on the Protection of Personal Data (PDPL 2021), which was issued on 20 September 2021. The PDPL 2021 entered into force on 2 January 2022. Prior to then, the UAE did not have a stand-alone federal data protection law.

The PDPL 2021 provides for further executive regulations to be enacted to provide further detail on the data protection requirements businesses must meet. The executive regulations have yet to be issued and there is no indication when this will happen.

SCOPE

The PDPL 2021 covers the processing of personal data belonging to UAE data subjects, regardless of where the data controller or data processor is established.

However, the PDPL 2021 does not apply to certain types of data. This includes government data, which is a term not defined in the PDPL 2021; personal data held by UAE security and judicial authorities; and health and financial personal data in the circumstances where separate legislation is in place covering the regulation of that data – see the section on sector-specific laws and regulations below. The PDPL 2021 also does not apply to government authorities' data processing activities.

International data protection best practice

The PDPL 2021 is largely in line with international privacy practices. For example, it adopts the principles of "lawfulness", "fairness" and "transparency" and outlines standard lawful bases for processing personal data, such as consent, protecting the interests of the data subject or public, and where it is necessary to perform a contract with the data subject. Unlike the EU General Data Protection Regulation (GDPR), however, the PDPL

2021 does not currently include legitimate interests as a lawful basis for processing personal data.

The PDPL 2021 sets out data subject rights in line with international standards, such as the right to obtain information, the right to data portability, the right to correct or erase personal data, the right to restrict personal data processing, the right to stop personal data processing and the right not to be subject to automated processing – such as profiling – which could have legal consequences or seriously affect the data subject.

The PDPL 2021 also includes comprehensive requirements for controllers and processors, breach notification requirements, obligations around the appointment of data protection officers, data protection impact assessment requirements, and requirements for privacy notices.

TRANSFERS

The PDPL 2021 provides for cross-border transfer of personal data outside the UAE to countries approved by the Data Office (defined below) as having an adequate level of protection, or where a bilateral or multilateral agreement relating to protection of personal data is in place.

Where there is a personal data transfer outside the UAE to a country which is not approved by the Data Office as having an adequate level of protection, companies may still transfer personal data under certain limited circumstances – for example, where contractual provisions are entered into which include appropriate and enforceable data protection requirements, measures and controls.

The Data Office has the power to impose penalties for violations of the PDPL 2021. What those penalties will be and whether these will be criminal and civil penalties will be determined in the executive regulations, or otherwise by the Data Office.

THE REGULATOR

Federal Decree-Law No. 44/2021 established the UAE Data Office (Data Office) which, once fully set up, will act as the UAE data protection regulatory authority. The Data Office is responsible for preparing policies and legislation, monitoring the implementation of the PDPL 2021, preparing a system for complaints and grievances, and issuing guidance on the PDPL 2021. The Data Office is in the process of being established.

Data subjects have the right to file a complaint with the Data Office for any violation of the PDPL 2021. The Data Office may then impose penalties. The penalties and fines regime should be further clarified in the executive regulations and may include criminal and civil penalties.

OTHER RELEVANT FEDERAL LAWS

There are other federal UAE laws that cover data protection and privacy more generally. These include:

• The UAE Constitution of 1971;

• Federal Law No. 15/2020 on Consumer Protection (Consumer Protection Law) – consumers have the right to the privacy and security of their data and restrictions on its use for promotional and marketing purposes;

• Federal Decree-Law No. 31/2021 on the Issuance of the Crimes and Penalties Law (Penal Code) – the Penal Code protects against the release of "secrets", including secrets of the state. The Penal Code also refers to the protection of privacy in the case of family life;

• Federal Decree-Law No. 34/2021 Concerning the Fight Against Rumors and Cybercrime (Cybercrimes Law) – the Cybercrimes Law covers, amongst other things, the unauthorised access of personal data using IT systems.

FREE ZONE DATA PROTECTION LAWS

ABU DHABI GLOBAL MARKET (ADGM)

The relevant data protection law in the ADGM freezone is the ADGM Data Protection Regulations 2021 (ADGM DPR). The regulations were issued on 11 February 2021 and published on 14 February 2021. A transition period for enforcement of 12 months for existing businesses – i.e. 14 February 2022 – and six months for new companies – i.e. 14 August 2021 – applied. The ADGM DPR applies to the processing of personal data within the ADGM. Similar to with the DIFC DP Law, the ADGM DPR draws on international standards and best practices, particularly the GDPR.

The ADGM DPR established the independent Office of Data Protection (ODP) headed by the newly created commissioner of data protection.

Similar to with the DIFC, whilst the ADGM is a common law jurisdiction with its own civil and commercial laws, UAE criminal laws continue to apply within the ADGM. Emirate- and sector-specific laws

Depending on which sector and location a business operates in, further consideration of specific sector laws and regulations, and emirate laws and regulations, may be necessary. The list of examples below is not exhaustive.

HEALTH

Federal Decree-Law No. 2/2019 Concerning the Use of Information and Communication Technology in Health Fields including Cabinet Resolution No. 32/2020 and exceptions pursuant to Ministerial Resolution No. 51/2021 (together Health Data Law) covers the collection, processing and circulation of health data. The Health Data Law sets out data processing, data security and data retention requirements, and places certain restrictions on the transfer of health data.

The emirates have their own health data laws. These include the Dubai Healthcare City Health Data Protection Regulation No. 7/2013 (DHCC Regulation), which applies to any 'licensee' that conducts business within the DHCC. A 'licensee' is defined in the DHCC Regulation as any licensed healthcare professional, licensed complementary and alternative medicine professional, a licensed healthcare operator, approved education operator, approved research operator, licensed commercial company, or a non-clinical operating permit holder operator.

The DHCC Regulation places restrictions on the licensee's management of patient health data, regardless of where that data might be held, and sets out the requirements for patient health data retention and transfer of patient health data.

FINANCIAL SERVICES

In the UAE financial services sector, there are a number of regulations that govern the protection of personal data. These include the Consumer Protection Regulation (Central Bank Circular No. 8/2020) and related Consumer Protection Standards, which include detailed data protection provisions. Other relevant regulations include the Central Bank Circular No. 112/2018 on Finance Companies Regulation, and Central Bank Circular No. 14/2021 Outsourcing Regulation and Standards covering banks' outsourcing activities.

TELECOMS

In the UAE telecoms sector, the Telecommunications and Digital Government Regulatory Authority, the independent regulator regulating the information, communications and telecommunications sector, has issued various regulations that include data protection provisions. These include the Internet of Things (IoT) Regulatory Policy, which applies broadly to IoT service providers and IoT service users and sets out, among other things, data classification requirements and related restrictions on cross-border data transfers.

GOVERNMENT DATA

There are also UAE government laws and regulations at the federal and emirate level covering the use of government data by government entities and government service providers. These include the UAE Information Security Regulations and the Dubai Data Law. UAE government entities focused on the protection and use of government data include Digital Dubai, the Dubai Electronic Security Centre, and the Abu Dhabi Digital Authority.

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