FWO DMP Template - Flemish Standard Data Management Plan

Project supervisors (from application round 2018 onwards) and fellows (from application round 2020 onwards) will, upon being awarded their project or fellowship, be invited to develop their answers to the data management related questions into a DMP. The FWO expects a **completed DMP no later than 6 months after the official start date** of the project or fellowship. The DMP should not be submitted to FWO but to the research co-ordination office of the host institute; FWO may request the DMP in a random check.

At the end of the project, the **final version of the DMP** has to be added to the final report of the project; this should be submitted to FWO by the supervisor-spokesperson through FWO's e-portal. This DMP may of course have been updated since its first version. The DMP is an element in the final evaluation of the project by the relevant expert panel. Both the DMP submitted within the first 6 months after the start date and the final DMP may use this template.

The DMP template used by the Research Foundation Flanders (FWO) corresponds with the Flemish Standard Data Management Plan. This Flemish Standard DMP was developed by the Flemish Research Data Network (FRDN) Task Force DMP which comprises representatives of all Flemish funders and research institutions. This is a standardized DMP template based on the previous FWO template that contains the core requirements for data management planning. To increase understanding and facilitate completion of the DMP, a standardized **glossary** of definitions and abbreviations is available via the following link.

1. General Project Information	
Name Grant Holder & ORCID	**Emma De Clercq 0009-0008-3435-011X**
Contributor name(s) (+ ORCID) & roles	N/A
Project number[1] & title	1108025N – Rethinking property through environmental duties: towards a further integration of environmental, constitutional and property law?
Funder(s) GrantID[2]	
Affiliation(s)	X **KU Leuven** □ Universiteit Antwerpen □ Universiteit Gent □ Universiteit Hasselt □ Vrije Universiteit Brussel □ Other:

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[1] "Project number" refers to the institutional project number. This question is optional since not every institution has an internal project number different from the GrantID. Applicants can only provide one project number.

[2] Funder(s) GrantID refers to the number of the DMP at the funder(s), here one can specify multiple GrantIDs if multiple funding sources were used.

Please provide a short project description	Property rights over land can be found at the centre of many environmental disputes between individual property owners and the State. However, an insufficient conceptual connection between environmental, constitutional and property law leads to uncertainty for both courts and policymakers regarding the extent to which environmental measures can impact private property. This hampers both property protection and effective environmental action, especially in very densely populated areas such as Belgium. This PhD project aims to contribute to literature on progressive property law and environmental constitutionalism. The overarching research objective is to analyse how the property concept can be reconsidered through individual environmental duties. In a first part, a theoretical framework will be created on the nexus between property rights and environmental protection through an analysis of legal and philosophical literature. Next, this framework is used to review how this nexus is currently approached in case-law from the Belgian Constitutional Court and ECtHR. A second part focusses on the constitutional integration of environmental duties. After conceptualising their form and content, recommendations will be formulated for the Belgian constitutional context. These recommendations will be based on, inter alia, the analysed impact of the environmental duties contained in the French Environmental Charter and the Swedish approach to property protection.

				ONLY FOR DIGITAL DATA	ONLY FOR DIGITAL DATA	ONLY FOR DIGITAL DATA	ONLY FOR PHYSICAL DATA

2. Research Data Summary

List and describe all datasets or research materials that you plan to generate/collect or reuse during your research project. For each dataset or data type (observational, experimental etc.), provide a short name & description (sufficient for yourself to know what data it is about), indicate whether the data are newly generated/collected or reused, digital or physical, also indicate the type of the data (the kind of content), its technical format (file extension), and an estimate of the upper limit of the volume of the data[3].

Dataset Name	Description	New or Reused	Digital or Physical	Digital Data Type	Digital Data Format	Digital Data Volume (MB, GB, TB)	Physical Volume
Case law	Case law from the Belgian Constitutional Court and the European Court of Human Rights	☐ Generate new data ☒ Reuse existing data	☒ Digital ☐ Physical	☐ Observational ☐ Experimental ☒ Compiled/ aggregated data ☐ Simulation data ☐ Software ☐ Other ☐ NA	☐ .por ☐ .xml ☐ .tab ☐ .csv ☒ .pdf ☐ .txt ☐ .rtf ☐ .dwg ☐ .tab ☐ .gml ☐ other: ☐ NA	☐ < 100 MB ☒ < 1 GB ☐ < 100 GB ☐ < 1 TB ☐ < 5 TB ☐ < 10 TB ☐ < 50 TB ☐ > 50 TB ☐ NA	N/A
Legislation	EU legislation; Belgian (federal and regional) legislation	☐ Generate new data ☒ Reuse existing data	☒ Digital ☒ Physical	☐ Observational ☐ Experimental ☒ Compiled/ aggregated data ☐ Simulation	☐ .por ☐ .xml ☐ .tab ☐ .csv ☒ .pdf	☐ < 100 MB ☒ < 1 GB ☐ < 100 GB ☐ < 1 TB ☐ < 5 TB	N/A

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[3] Add rows for each dataset you want to describe.

				data ☐ Software ☐ Other ☐ NA	☐ .txt ☐ .rtf ☐ .dwg ☐ .tab ☐ .gml ☐ other: ☐ NA	☐ < 10 TB ☐ < 50 TB ☐ > 50 TB ☐ NA	
Academic literature	Handbooks, compilation works, journal articles, blogposts. This is used as bibliographical reference for an argument.	☐ Generate new data ☒ Reuse existing data	☒ Digital ☐ Physical	☐ Observational ☐ Experimental ☒ Compiled/ aggregated data ☐ Simulation data ☐ Software ☐ Other ☐ NA	☐ .por ☐ .xml ☐ .tab ☐ .csv ☒ .pdf ☐ .txt ☐ .rtf ☐ .dwg ☐ .tab ☐ .gml ☐ other: ☐ NA	☐ < 100 MB ☒ < 1 GB ☐ < 100 GB ☐ < 1 TB ☐ < 5 TB ☐ < 10 TB ☐ < 50 TB ☐ > 50 TB ☐ NA	N/A

If you reuse existing data, please specify the source, preferably by using a persistent identifier (e.g. DOI, Handle, URL etc.) per dataset or data type.	- ECHR case law: https://hudoc.echr.coe.int/#{%22documentcollectionid2%22:[%22GRANDCHAMBER%22,%22CHAMBER%22]} - Constitutional Court case law: https://www.const-court.be/en/search/judgment - EU-legislation: https://eur-lex.europa.eu/ - Belgian legislation : https://www.ejustice.just.fgov.be/cgi/welcome.pl.

Are there any ethical issues concerning the creation and/or use of the data (e.g. experiments on humans or animals, dual use)? If so, please describe these issues further and refer to specific datasets or data types when appropriate.	☐ Yes, human subject data ☐ Yes, animal data ☐ Yes, dual use ☒ No If yes, please describe:
Will you process personal data[4]? If so, briefly describe the kind of personal data you will use. Please refer to specific datasets or data types when appropriate. If available, add the reference to your file in your host institution's privacy register.	☐ Yes ☒ No If yes: - Short description of the kind of personal data that will be used: - Privacy Registry Reference:
Does your work have potential for commercial valorization (e.g. tech transfer, for example spin-offs, commercial exploitation, …)? If so, please comment per dataset or data type where appropriate.	☐ Yes ☒ No If yes, please comment:
Do existing 3rd party agreements restrict exploitation or dissemination of the data you (re)use (e.g. Material/Data transfer agreements, research collaboration agreements)? If so, please explain to what data they relate and what restrictions are in place.	☐ Yes ☒ No If yes, please explain:

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[4] See Glossary Flemish Standard Data Management Plan

Are there any other legal issues, such as intellectual property rights and ownership, to be managed related to the data you (re)use? If so, please explain to what data they relate and which restrictions will be asserted.	☐ Yes ☒ No If yes, please explain:

3. Documentation and Metadata	
Clearly describe what approach will be followed to capture the accompanying information necessary to keep **data understandable and usable**, for yourself and others, now and in the future (e.g. in terms of documentation levels and types required, procedures used, Electronic Lab Notebooks, README.txt files, Codebook.tsv etc. where this information is recorded).	- The documentation of the collected documents will take place in Zotero. - The collection of legislation and case law will be documented in more detail by keeping a record of the keywords used when searching the relevant databases, the dates of the searches and the further inclusion/exclusion criteria used. These records will also be stored in Zotero.
Will a metadata standard be used to make it easier to **find and reuse the data**? If so, please specify which metadata standard will be used. If not, please specify which metadata will be created to make the data easier to find and reuse.	☐ Yes ☒ No No metadata standard will be used. For all published materials that will be collected, full bibliographic details will be kept. To easily find back these materials, unique identifiers will be used: - DOI for academic literature; - ECLI-codes for ECHR case law; - (when available) permalinks for online publications. Offline copies of online publications for which the longterm availability cannot be guaranteed will be kept in Zotero (as pdf.).

4. Data Storage & Back-up during the Research Project	
Where will the data be stored?	During the research project, collected documents will be kept in Zotero. Both on the laptop hard drive and on the OneDrive Cloud service provided by the Law Faculty at KU Leuven. This storage space is safe and automatically backed up.
How will the data be backed up?	- Back-ups on the OneDrive and KU Leuven network-drives are automatic; - Separate manual back-ups of the Zotero library (which is locally stored) will be made on a weekly basis.
Is there currently sufficient storage & backup capacity during the project? If yes, specify concisely. If no or insufficient storage or backup capacities are available, then explain how this will be taken care of.	☒ Yes ☐ No If yes, please specify concisely: the collected data will not exceed the standard capacity of One Drive for Business.
How will you ensure that the data are securely stored and not accessed or modified by unauthorized persons?	- The data will not be stored on shared hard drives; - Two-factor authentication provides a sufficient level of protection.
What are the expected costs for data storage and backup during the research project? How will these costs be covered?	The OneDrive and KU Leuven network drives do not result in additional costs.

5. Data Preservation after the end of the Research Project	
Which data will be retained for at least five years (or longer, in agreement with other retention policies that are applicable) after the end of the project? In case some data cannot be preserved, clearly state the reasons for this (e.g. legal or contractual restrictions, storage/budget issues, institutional policies...).	- Documents for which the long-term public availability is guaranteed: only full bibliographic data and unique identifiers will be kept for 10 years; - Documents for which the long-term public availability cannot be guaranteed: local copies as well as full bibliographic data and date of access will be kept for 10 years.
Where will these data be archived (stored and curated for the long-term)?	After the research, digital data will be stored on the Kdrive, the KU Leuven Law Faculty's dedicated storage for archival purposes.
What are the expected costs for data preservation during the expected retention period? How will these costs be covered?	No additional costs are expected.

6. Data Sharing and Reuse	
Will the data (or part of the data) be made available for reuse after/during the project? Please explain per dataset or data type which data will be made available.	☒ Yes, in an Open Access repository ☐ Yes, in a restricted access repository (after approval, institutional access only, …) ☐ No (closed access) ☐ Other, please specify:
If access is restricted, please specify who will be able to access the data and under what conditions.	
Are there any factors that restrict or prevent the sharing of (some of) the data (e.g. as defined in an agreement with a 3rd party, legal restrictions)? Please explain per dataset or data type where appropriate.	☐ Yes, privacy aspects ☐ Yes, intellectual property rights ☐ Yes, ethical aspects ☐ Yes, aspects of dual use ☐ Yes, other ☒ No
Where will the data be made available? If already known, please provide a repository per dataset or data type.	The date will be made available on the KU Leuven RDR (data repository).
When will the data be made available?	Upon publication of research results.

Which data usage licenses are you going to provide? If none, please explain why.	Data licenses will be selected in collaboration with KU Leuven RDR-staff.
Do you intend to add a PID/DOI/accession number to your dataset(s)? If already available, please provide it here.	☒ Yes ☐ No
What are the expected costs for data sharing? How will these costs be covered?	No costs are expected. Only meta-data (bibliographic references, identifiers and documentation) of collected documents will be shared. The size of the data is small and no additional costs are expected.

7. Responsibilities	
Who will manage data documentation and metadata during the research project?	The researcher: Emma De Clercq.
Who will manage data storage and backup during the research project?	The researcher: Emma De Clercq.
Who will manage data preservation and sharing?	The researcher, Emma De Clercq, and the researcher's supervisor, Prof. Dr. S. Sottiaux.
Who will update and implement this DMP?	The researcher: Emma De Clercq, in consultation with Prof. Sottiaux and relevant support staff at KU Leuven.