

Linda:

Access was already discussed in the redress session – there was a legal discussion.

LAPSI takes only look at the legal issues, however, getting out of the legal scope – is it really a matter of rights or should we rather focus on proactive disclosure. In many countries this is simply matter of good practice – the PSB decide what is it that they see could be most valuable.

What is the position/recommendation of the public, not in strictly legal point of view? Should we regulate this with law or can we do it with best practices?

Czech Ministry of Finance – thinking about proactively publishing data on taxes, however, there's a question of privacy.

Czech Ministry of Interior – responsible for national opening of data and are always stuck with boundaries of law, especially with privacy (especially linked data causing deanonymisation).

IT people from Estonia – difficulties in getting access to data that was supposed to be publicly available. For a non-lawyer it's difficult to understand what the problem is and how to converse with the PSB. Creative Commons has good solutions for IP matters, maybe this could be used. It's not easy for the general public to be a part of decision making.

Croatia Ministry of _____ - amending the legislation on PSI re-use – want to open as much as possible. Technically there are ways to hide personal information in public information. Nevertheless, the public doesn't really understand at the moment what the issues really are. We have to find a way how to reach the public. Right now only a few people are deciding about which information should be public. There is no need of stronger regulation for publishing data, it's rather a matter of PSBs understanding what the benefits are. Proactiveness should be driven bottom-up and not so much from the top.

Norway – in Estonia there's a clear law that access to information is obligatory. If there's no such law, the culture of proactively publishing data is necessary. Of course you can't publish personal data, but you can make personal data shareable, with that you can increase the value of these data – one should have the possibility to allow sharing of his personal data. This would be give user more power to handle his data.

Portugal – doesn't think it's a problem – if you can bring value from the data without identifying an individual, there's no problem.

Linda – anonymisation has been interpreted differently in different cases and countries, regardless of Art. 29 WP opinion, which is why we can search for best practice within that as well.

Slovenian Ministry of Public Administration – what is generally accessible, is re-usable as well as a rule in Slovenia. More needs to be done in the direction of proactive publication. Many times opening a database is a problem – e.g. we have a law defining a database, the law needs to include information on which metadata is going to be published and that it has to be published in machine-readable forms. It's important that bylaws provide details on proactive publication of data already upon creation of a database.

_____ - using technology based terms in legislation as they change with time and may be interpreted differently. Believes that without legal backing and pushing opening of data will not

happen.

Linda - the law is often lagging behind – is there another way out without over-legislating?

Someone from the audience - hopefully there can be middle ground. If we only depend on legislation, people will only fulfill their public tasks and publish only what they must. We need something also for those who are willing to publish data – some kind of competence center with information on how to technically publish data, when they wish to do so.

Linda – should government focus on high value datasets from the beginning?

Someone from the audience - what is high value datasets? Which are the conditions that make datasets valuable – the most downloaded datasets have in common that they're geolocated and are real time. To be reusable datasets:

1. licensing which allows commercial re-use
2. technical standardization
3. access mechanism which allows download of individual data as well not only datasets
4. data model

in Spain the most downloaded dataset is a calendar of holidays.

Linda –

1. we cannot escape the law (especially regarding privacy). We need to include the public in the decision making and showing also the PSBs what the public needs.
2. publishing register or geodata is not enough as it is not necessarily high value datasets.

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