

# Romania: Open data vs personal data

Submitted on 10 Jan 2014 by Valentina Pavel

The [Department for Online Services and Design](#), which is in charge of open data and the [Romanian Data Protection Authority](#), met for the first time to discuss the balance between [open data and the protection of personal data](#) on the 29th November 2013 in an event organized by Soros Foundation Romania together with ApTI – The Association for Technology and Internet.

In order to strengthen the institutional cooperation and encourage the distribution of compliant data sets, the two bodies agreed to draft a “how to” guide for public institutions. This document is meant to provide public institutions with guidelines for opening up data while complying with all the data protection related provisions.

The text is supposed to address clear, specific and relevant examples many public institutions face on a daily basis. Hopefully, the guide is also going to underline more basic facts such as the fact that collected data which is then indexed in search engines equals re-use. Consequently this means that either the data subject needs to be properly informed about the consequence of indexing or that the data processor needs to put proper safeguards in place in order for the collected data not to show up in search queries if this was not among the purposes for processing data. At the same time, public institutions need to understand that public data has to be made available since it is produced with public money; therefore it should be at the disposal of any interested person. There is a stringent need for more awareness and training among Romanian public institutions and, in this sense, drafting this guide could be an opportunity that shouldn't be missed.

Whereas more and more data sets are going to be available on [www.date.gov.ro](http://www.date.gov.ro) as part of the OGP action plan, the protection of personal data has already raised several issues for public institutions. Among the questions raised by the participants during the debate were:

- are personal data rights being infringed when the National Trade Register Office displays all the information about a self-employed person?
- what should be the best format of the declaration of interest since public officers need to fill in their name, address and officially sign the document?
- should contact data of employees within public bodies (e.g. school principals) be available in open data sets?
- is it legal for exam results to be made available online together with the full name of the candidate?
- should the Bar Association publish the list of authorized lawyers together with their telephone number without their prior consent?

Not all of the above questions found their answers but one of the solutions that was put forward in order to mitigate data protection issues was to clearly inform the data subject how the data is going to be processed, who is going to have access to it and for what legitimate purposes.

Guest blog post by Valentina Pavel - [ApTI](#) (The Association for Technology and Internet), Romania