

Directive 2003/98/EC on re-use of public sector information (PSI)

Open Formats

The following note focuses on the importance of an Open Format policy to ensure non-discriminatory PSI (Public Sector Information) accesses and re-uses.

Public services must be equally accessible to all citizens, in a permanent and mutable way. These are principles that rule public services and that need to be ensured also in the digital world. **Thursday November 29th**, you will vote on an important matter that can properly enable this switch: the re-use of Public Sector Information directive. In order to ensure those principles, we would like to advocate for **voting in favor of compromise amendment #18 and Andersdotter's amendment #65**.

No one but a public authority should be able to authorize or refuse access to PSI

The PSI directive defines what kind of data or information should be made available to the public and under which conditions. The directive aims to make more public sector information available to the public in a digital way, which is very promising. But if the directive does not define clear rules regarding the digital formats that public bodies must use for PSI, the EU takes the risk of allowing third parties to restrict access to public sector information.

Non-discriminatory PSI access means digital formats made available to anyone without restrictions

PSI should be made available digitally through a non-discriminatory format. These kind of digital formats are called Open Formats. They ensure that their specification are made available without any financial, legal or technical restrictions, thus any company or free and open source software developer can offer a technical solution to read and process its content. Regardless of financial resources or technical choices, open formats therefore ensure any user the capacity to access and read EU PSI digitally.

Non-discriminatory PSI re-use requires openly developed digital formats

The revision of the PSI directive introduces a new right: the right for European citizens to re-use PSI. The information made available by public institutions can, under certain conditions, be re-used by companies to build or improve products and services, but also by citizens, journalists or NGOs in order to inform, educate, debate or build non-profit citizen tools like those created by Regards Citoyens in France. Once again, to ensure that PSI can be equally reused by any citizen or organism, the choice in the digital formats used to publish this information is crucial.

Many companies or non-profit organisations build services upon PSI. Most of these services try to update automatically their databases as soon as new information is available. To facilitate this process, the digital formats used need to be "machine readable" and the specifications of their nature and modes of re-use must be available to anyone. Moreover, any change made on the digital formats definition puts a burden on re-users, who need to adapt their tools. The use of digital formats whose specifications are in the only hands of a single actor, generally its owner, raises therefore a serious risk regarding the PSI quality in the future. Using a machine readable format ensuring that all interested parties can get informed in advance of the future versions and can participate in an open decision making process to the ongoing development of the digital format ensures the public service continuity which is a long term guarantee for the PSI consumer.

Open Format: a key element for a PSI reuse policy

To ensure a non-discriminatory PSI reuse policy, the new directive should propose a clear definition of Open Formats that guarantees that the formats used are made available to the public without any present or future financial, legal or technical restrictions. Moreover, Open Formats for PSI should rely on an ongoing development made in an open decision-making procedure.

To conclude, **ITRE members should vote for both compromise amendment #18 and Andersdotter's amendment #65.** These amendments ensure a safe and efficient re-use of Public Sector Information. On the contrary, lacking such principles would leave unresolved a number of crucial issues, including technological lock-in for public bodies, risks of discontinuation of the public service, and serious difficulties for industrial as well as non-profit re-users.

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