

**From:** [redacted]  
**To:** [redacted]  
**Cc:** [CNECT.G1](#); [redacted]  
**Subject:** Re: invitation to the next Open Data Committee, 25 June 2020 10:00  
**Date:** lundi 9 novembre 2020 12:54:50  
**Attachments:** [Joint Non Paper - Towards Open Data .pdf](#)

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Dear [redacted] !

Thank you for the support! Please find the updated joint-paper attached to e-mail - now supported by Austria, Croatia, Estonia, Lithuania, Netherlands and Portugal.

Lugupidamisega/Kind regards,  
[redacted]

[redacted]  
Ministry of Economic Affairs and Communications  
**Republic of Estonia**

Work: [redacted]  
Phone: [redacted]  
Skype: [redacted]  
twitter: [redacted]

On 9. Nov 2020, at 10:31, [redacted] wrote:

Dear [redacted],

Croatia supports Joint Non-paper by Austria, Estonia, Netherlands, Lithuania -  
The Towards Open Data – Availability of publicDataSets

and joins the efforts of the initiative to address the problems arising from implementing acts in force  
and finding a solution to avoid a situation where the implementing act does not comply with the rules of the EU Regulation.

Kind regards,

<image001.jpg>

[redacted]  
[redacted]  
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[redacted]  
t: [redacted]  
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[redacted] 10000 Zagreb  
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From: [REDACTED] >

**Sent:** 18. listopada 2020. 9:56

**To:** [CNECT-G1@ec.europa.eu](mailto:CNECT-G1@ec.europa.eu)

Cc: [REDACTED]

Device Type	Percentage of Respondents
Smartphone	92%
Tablet	85%
Smartwatch	78%
Smart TV	72%
Smart Home Assistant	65%
Smart Car	58%
Smart Thermostat	52%
Smart Light Bulb	48%
Smart Door Lock	42%
Smart Security Camera	38%

;

[REDACTED]

Government	Percentage
Current government	85%
Previous government	15%

Service	Percentage
Online banking	95%
Mobile banking	92%
ATM	88%
Branch	85%
Other	78%

Government	Percentage
Current government	85%
Previous government	15%

Government	Percentage
Current government	85%
Previous government	15%

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** Re: invitation to the next Open Data Committee, 25 June 2020 10:00

Dear Commission and Members of the Open Data Committee,

Please find attached the **joint non-paper** by Austria, Estonia, Netherlands and Lithuania regarding open data directive, the study on high value datasets and implementing act.

In general, we support the initiative for an implementing act to enhance the availability of public datasets. High value datasets (HVD) are key drivers to establishing an internal market for data and for making the EU a leader in a data-driven economy and society. However, regarding the list of High Value Datasets (hereinafter **HVD**), and in particular related to the company and company ownership category, we would like to point out that proposed list contains numerous personal data. This brings about the concern how making the data in the list re-usable is compatible with the Regulation (EU) 2016/679 on data protection (hereinafter **GDPR**).

Over the last years the WP 29 Group, the European Data Protection Board (EDPB), the European Data Protection Supervisor (EDPS) and the European Court of Justice (ECJ) continuously broadened the term "personal data." A very comprehensive view is taken by the WP 29 Group in its opinion 4/2007 on the concept of personal data. This highlights that challenges might arise upon trying to differentiate personal from non-personal data. Therefore, we ask the Commission to provide clarity (ex ante) on the allowed reuse of high value data containing personal data.

Our concerns are mainly related to following issues which have partially been addressed in the recitals of the Directive (EU) 2019/1024 on open data and the re-use of public sector information. We would like to get the perspective of the Commission on these issues as well as an opinion from the European Data Protection Supervisor to make sure that any future steps taken do not damage fundamental rights of the individuals and go against GDPR principles.

In conclusion, enabling a wider use and re-use of public datasets is encouraged, however, there are issues, as stated in the joint non-paper, that need to be addressed to avoid a situation where the implementing act does not comply with the rules of an EU Regulation.

Lugupidamisega/Kind regards,

[REDACTED]

[REDACTED]  
[REDACTED]

**Republic of Estonia**

[REDACTED]  
[REDACTED]  
[REDACTED]

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