



FOD Beleid & Ondersteuning

SPF Stratégie & Appui

Open Data

Sciensano seminar - 2025-04-03

Short definition

- Data without sensitive information
- In an easy to process format
 - E.g. JSON, XML, CSV, ...
- That can be freely reused for all purposes
 - Including commercial applications

Legal framework

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EU and National Law

- EU Directive 2019/1024 on Open Data
 - Transposed into national law and regional decrees
- EU Implementing Regulation 2023/128 High-Value Datasets
 - List of (types of) datasets that have to be published for free
- More info
 - <https://data.gov.be/en/documentation/legal-framework>

Does not apply to e.g.

- Incomplete data
- Data whose provision is not a public duty of the organization
- Data whose IP rights are held by third parties
- Non-research data of educational / research institutes
 - Including organizations created to share research data
 - Including schools and universities
 - But excluding libraries of universities

Note

- Mostly “passive” (on demand) openness
 - Though an active approach is encouraged
- Law is about “administrative documents” and research data
 - Very broad: maps, sensor readings, images, audio, ...
 - Including algorithms and source code

Research Data

- Data in digital form other than scientific publications ...
- ... collected/produced during scientific research
- ... used as evidence or required to validate the results

- ... that are least 50% funded by public money
- ... have been published in an institutional / thematic DB

Obligations

- (Implied) Publish metadata on data.gov.be
 - Indirectly, via “harvesting” of other portals
- Almost no new contracts granting exclusive rights
- If a (nominal) fee is requested: explain this cost
- Reply to open data demands from citizens / companies
 - Check within 10 working days if the request is valid
 - Answer within 30 days (longer for “complicated” questions)
 - The answer can be (a motivated) “no”

But:

- Not required to publish everything until eternity
 - Though an explanation should be given when publication is stopped
- Not required to do (much) extra work
 - No custom transformations, collection of new data, ...
- Some basic effort can be expected
 - E.g. very basic filtering if that removes sensitive / GDPR data

Dynamic data

- Must be provided “immediately” via a “suitable” API
 - E.g sensor data
- Unless it is too costly / poses technical issues
 - Temporarily technical limitations can be imposed
 - Delay that does not hamper its socio-economical potential

Complementary: Data Governance Act

- Does not require additional data to be opened / distributed
- Framework for non-open data
 - E.g. data only available under NDA
 - Reasonable fees, limit on exclusive agreements
- Create a “secure processing environment”
 - Anonymization / Pseudonymization
 - Contracts

Metadata exchange

The image features a white background with several decorative teal elements. A thin teal line starts from the top left, curves down, then right, then up, and finally right again, forming a partial frame around the text. A thicker teal shape is located in the bottom right corner, consisting of a rounded rectangle with a curved right edge.

Thematic / organizational portal ?

- “It depends”
- Sometimes by law: INSPIRE (geo), ITS (mobility)
- Mostly: who has the resources to maintain a portal ?
- There will always be multiple portals
 - Thematic, regional, combinations thereof
 - In the end, they will all be indexed by Google or ChatGTP...
- Focus on metadata exchange

DCAT-AP specification(s)

- EU version of international DCAT spec
- Basic metadata
 - Title, description,
 - Based on “Dublin Core” and other existing specifications
 - Additional profiles (fine-tuning) for e.g. Mobile, Health...
- Does not describe individual columns / attributes
 - CSW-on-the-Web could be interesting

DCAT-AP specification(s)

- Not only for open data
 - Can be used to describe closed data as well
 - Also used in EU Data Spaces
- More info
 - Health-DCAT-AP editor in the works
 - <https://academy.hda.belgium.be/course/view.php?id=29>

DCAT(-AP) support in platforms

- Many platforms have (some) support for DCAT
 - GeoNetwork, Zenodo, OpenDataSoft, CKAN
 - Might require installing / enabling extra module
- What if your platform doesn't support it ?
 - E.g. Dataverse
 - Metadata can often be mapped
 - The idea is not to create extra work, but to re-use

Licenses

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Creative Commons

- Internationally used set of licenses
 - Also explicitly mentioned in HvD Implementing Act
- Creative Commons Zero (CC0)
 - For all purposes, including commercial reuse
- Creative Commons Attribution (CC-BY)
 - Same, but mentioning the source is mandatory
- Other (more restrictive) versions exist as well
 - <https://creativecommons.org/share-your-work/>

Open Database Commons

- Open Data Commons Open Database License (ODbL)
 - Attribution and “Share Alike”
- Useful for community projects / citizen science projects
 - No need to list all individual contributors
 - Example: OpenStreetMap
- More info
 - <https://opendatacommons.org/faq/licenses/>

Custom license ?

- There is no federal license
 - Preference for CC0 and CC-BY
- Please think twice before writing your own license
 - Extra work for the organization, and for re-users combining data
 - Are you willing and able to enforce additional conditions ?
- Refrain from adding superfluous clauses
 - E.g. “not allowed to commit fraud”
 - Other laws are already covering these issues

Final thoughts

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Some hints

- Open data is nothing special
 - But makes data (management) issues more visible
- Don't let Perfect be the enemy of Good Enough
- Publish an email address for data questions
- Public administrations are (open) data users as well
- Mention transfer of data rights in public tenders



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Thank you !

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<https://data.gov.be>