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## State of Play: PSI re-use in Romania

Author: Daniel Dittrich  
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## Abstract

*The legislative framework in Romania is set to support the re-use of PSI. As with many other laws, implementation proves to be the missing link due to limited institutional capacity. Proper legislation is in place but in practice implementation is lagging behind.*

*Romanian Civil Society Organisations are traditionally active on Right to Access Information and Anti-Corruption issues. However they have only recently started working more actively on Transparency and Open Data / PSI re-use issues. New types of PSI re-users such as App Developers have not yet joint forces with more traditional commercial re-users, such as re-users of geodata.*

*The Romanian Government is not pro-active on Open Government and Open Data / PSI re-use issues. Since Public Sector Bodies in Romania are currently facing budgetary constraints and a lack of resources, they are unlikely to improve access to PSI and facilitate re-use of PSI until public demand rises.*

*Currently, public pressure for increased access to PSI remains limited in spite of the active participation of civil society organisations around the issue.*

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## Abstract

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The Romanian Government is not pro-active on Open Government and Open Data / PSI re-use issues. Since Public Sector Bodies in Romania are currently facing budgetary constraints and a lack of resources, they are unlikely to improve access to PSI and facilitate re-use of PSI until public demand rises.

Currently, public pressure for increased access to PSI remains limited in spite of the active participation of civil society organisations around the issue.

## 1 Introduction

This report aims to give an overview of the state of play for PSI re-use in Romania. It covers the legislative framework surrounding PSI re-use, spotlights Government policies and the practices of Public Sector Bodies. It also highlights cases of PSI re-use in the private sector as well as the activities by civil society organisations and grassroots initiatives around the issue in recent years.

Romania's administration is relatively centralised. As in other EU Member States PSI re-use is impacted directly and indirectly by a variety of laws and regulations. PSI re-use is directly regulated by the national implementation of the EC PSI and INSPIRE Directives, and indirectly affected among others by laws on Right to Access Information and Privacy.

Romanian legislation on PSI re-use is comparable with other EU Member States. There is, however a specific feature: starting with 2008, re-use is free of charge similar to the Access to Public Information legislation (Law no. 544/2001).

Another specific feature in Romania arises from the fact that corruption is still a major issue. Therefore, several laws related to anti-corruption also affect PSI re-use. PSI-related legislation is often used by NGOs or journalists trying to access Information on the parliament or on public sector servants or politicians as part of their engagement for greater government transparency and accountability.

Similar to other new EU member states, Romania has a modern Constitution and the legislative framework in place is ready to support the re-use of PSI. While public organizations throughout the world are facing budgetary constraints, the lack of resources

is perhaps even more dramatic in Romania. Aside from simply lacking the money and the qualified human resources, Romanian public administrative authorities (especially the local levels) have a strained institutional capacity. As with many other laws, implementation proves to be the missing link due to this limited institutional capacity.

## 2 Legislative Framework

According to the Constitution of Romania, the administration of its territory is organized into 41 counties, 211 towns (urban areas) and 2827 communes (rural areas). The national capital Bucharest has a special status. The Municipality of Bucharest is officially divided into six sectors, each sector having a local government and council.

Romania is a semi-presidential Republic where executive functions are held by both Government and the President. The president is elected by popular vote. The legislative branch of the government is the Parliament which consists of two chambers: the Senate with 140 members, and the Chamber of Deputies with 346 members. The members of both chambers are elected every four years under a system of party-list proportional representation.

Romania has an industrialized, open free-market economy, with a large, moderately advanced private sector and a number of strategic state-owned enterprises. The World Bank classifies it as an "upper-middle-income economy"<sup>1</sup> with a nominal GDP of \$11,860 per capita in 2010.

The **Constitution of Romania**<sup>2</sup> was approved in a national referendum in December 1991. A plebiscite held in October 2003 approved 79 amendments to the Constitution, bringing it into conformity with European Union legislation. Article 31 of the Constitution guarantees the right of the public to access information of a public interest:

- ✧ *A person's right of access to any information of public interest shall not be restricted.*
- ✧ *The public authorities, according to their competence, shall be bound to provide correct information to the citizens in public affairs and matters of personal interest.*

The **Law Regarding Free Access to Information of Public Interest**<sup>3</sup> was approved in October 2001. The implementing regulations of the law state, "free and unrestrained access to information of public interest shall be the rule and limitation of access shall be the exemption." It allows for any person to ask for information from public authorities and state companies. The authorities must respond in 10 days.

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1 "Country Classification Groups". World Bank. 2005. Retrieved 2008-08-31.

2 <http://www.cdep.ro/pls/dic/site.page?id=371>

3

<http://unpan1.un.org/intradoc/groups/public/documents/unpan/unpan034189.pdf>

There are exemptions made for concerns related to national security, public safety and public order, deliberations of authorities, commercial or financial interests, personal information, proceedings during criminal or disciplinary investigations, judicial proceedings, and information “prejudicial to the measures of protecting the youth.”

Requests to access information that are denied, can be appealed to the agency concerned or to a court. Public employees can be disciplined for refusing to disclose information. The People’s Advocate<sup>4</sup> (Ombudsman) can also hear complaints and make recommendations.

Authorities must also pro-actively publish a wide variety of basic information about their structures and activities including their register of “documents in the public interest.” They are required to set up specialized divisions to deal with the Act.

According to the **Romanian Copyright Law**<sup>5</sup>, §3 Art. 9 the following shall not benefit from the legal protection accorded to copyright:

- ⤴ official texts of a political, legislative, administrative or judicial nature, and official translations thereof;
- ⤴ news and press information;
- ⤴ simple facts and data.

However it remains unclear as to what extent PSI is affected by this.

The **Law on Access to the Personal File and the Disclosure of the Securitate as a Political Police**<sup>6</sup> enacted in 1999 allows Romanian citizens to access their Securitate (the former secret police) files. It also allows public access to the files of those aspiring for public office and other information relating to the activities of the Securitate. The law set up the National Council for the Search of Security Archives<sup>7</sup> (CNSAS) to administer the archives.

The **Law on Protection of Persons concerning the Processing of Personal Data and the Free Circulation of Such Data**<sup>8</sup> enacted in 2001 allows individuals to access and correct personal information held by public or private bodies. It is enforced by the National Authority for the Supervision of Personal Data Processing which was created in 2005.

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4 <http://www.avp.ro/indexen.html>

5 <http://www.legi-internet.ro/en/copyright.htm>

6 <http://www.cdep.ro/legislatie/eng/vol44eng.pdf>

7 <http://www.cnsas.ro/>

8 <http://www.avp.ro/leg677en.html>

The **Law on National Archives**<sup>9</sup> sets the rules on access to information in archives.

### **Anti-Corruption Legislation**

According to the National Security Strategy, corruption has become a direct threat and, therefore, a task for the President (and its staff) as Chairman of the National Supreme Defence Council. The Anti-Corruption Strategy<sup>10</sup> adopted in April 2005 has as a mission to prevent and counter corruption by refining and rigorously implement the legal framework, through legislative coherence and stability and by institutional strengthening of the entities with important tasks in this field.

The **Law on Preventing, Discovering and Sanctioning of Corruption Acts**<sup>11</sup> (May 2000) institutes measures against corruption acts and applies to public officials, who are compelled to exercise their functions by strictly observing the rules of professional conduct, and to ensure carrying out of the legitimate rights of the citizens, without using their positions for the obtaining of money, goods or other undue advantages.

The **Law on decisional transparency in Public Administration**<sup>12</sup> (February 2003) establishes the minimal procedural rules enforceable to ensure decisional transparency within public authorities in order to increase responsibility of public administration toward the citizens, to stimulate active participation of the citizens in the administrative decision-making process and to increase transparency in public administration.

The **Law on the Statute of Civil Servants**<sup>13</sup> (December 1999) defines the basic principles of exercising the public positions: to carry out their activities free of corruption, abuse of power and political pressures. Civil Servants are prohibited to accept directly or indirectly, in consideration of their public positions, gifts or other advantages. They are also prohibited to directly receive petitions the solutions of which are within their competency.

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9 [http://www.apador.org/en/legi/lege\\_16\\_1996\\_e.rtf](http://www.apador.org/en/legi/lege_16_1996_e.rtf)

10 [http://km.undp.sk/uploads/public/File/AC\\_Practitioners\\_Network/romania\\_anti\\_corruption\\_strategy.pdf](http://km.undp.sk/uploads/public/File/AC_Practitioners_Network/romania_anti_corruption_strategy.pdf)

11 [http://km.undp.sk/uploads/public/File/AC\\_Practitioners\\_Network/Romania\\_Law\\_78-2000\\_updated\\_Nov\\_2006.doc](http://km.undp.sk/uploads/public/File/AC_Practitioners_Network/Romania_Law_78-2000_updated_Nov_2006.doc)

12 [http://km.undp.sk/uploads/public/File/AC\\_Practitioners\\_Network/romania\\_law\\_on\\_decisional\\_transparency\\_in\\_PAR.pdf](http://km.undp.sk/uploads/public/File/AC_Practitioners_Network/romania_law_on_decisional_transparency_in_PAR.pdf)

13 [http://km.undp.sk/uploads/public/File/AC\\_Practitioners\\_Network/Romania\\_Civil\\_Servants\\_Law.pdf](http://km.undp.sk/uploads/public/File/AC_Practitioners_Network/Romania_Civil_Servants_Law.pdf)

The **Law on Public Internal Audit**<sup>14</sup> regulates the public internal audit at public entities with respect to public income, the use of public funds and the management of public patrimony.

### 3 Implementation of the PSI Directive and INSPIRE

In line with the provisions of European Commission Directive on the re-use of Public Sector Information (PSI), **Directive 2003/98/EC**<sup>15</sup>, Romania has informed<sup>16</sup> the EC that it has transposed the Directive into its national legislation. In April 2007 the Romanian Parliament adopted the Law no. 109/2007 on the reuse of public sector information. As in many other European countries, the legislative body opted for adopting a separate act from the already existing Law on access to public information (Law no. 544/2001).

#### Pricing Models for PSI

Charges could be levied for the reuse of the information, but the law has set out strict provisions on the amount that could be charged. Before 2008, when the law was amended, the total income from the charge for reuse could not exceed the sum of the “cost of collection, production, reproduction and dissemination of the documents”. After 2008 the charge is limited to the cost of copying the documents, so called “marginal costs”.

#### Commercial and non-commercial reuse

The law distinguishes between commercial and non-commercial reuse. Non-commercial reuse is based on a free access, “no charges incurred” model. It is not however clear what the difference is between free access to public information and non-commercial reuse. The commercial reuse, on the other hand, was subjected to fees until 2008, when the law was modified in order to permit reuse for free.

#### Exclusive Agreements

One of the most important provisions of the law relates to exclusivity arrangements. The law prohibits public sector bodies from entering into exclusive arrangements with any applicant, unless this is necessary for the provision of a service in the public interest.

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14

[http://km.undp.sk/uploads/public/File/AC\\_Practitioners\\_Network/Romania\\_Law\\_on\\_Public\\_Internal\\_Audit.pdf](http://km.undp.sk/uploads/public/File/AC_Practitioners_Network/Romania_Law_on_Public_Internal_Audit.pdf)

15 <http://eur->

[lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003L0098:EN:NOT](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003L0098:EN:NOT)

16

[http://ec.europa.eu/information\\_society/policy/psi/actions\\_ms/implementation/index\\_en.htm](http://ec.europa.eu/information_society/policy/psi/actions_ms/implementation/index_en.htm)



In the Study **Reusing Public Sector Information - Policy Choices and Experiences in some of the Member States with an emphasis on the Case of Romania**<sup>17</sup> by Dacian C. Dragos and Bogdana Neamtu published at EIoP in August 2009 the Authors analyse the implementation of the PSI Directive:

*After the adoption of the Reuse Law no. 109/2007, the European Commission pointed out in a letter to the Romanian Ministry of Communication and Information Technology from July 2007 that the transposition of the Directive on reuse into the national legislation has been done with some errors which had to be corrected. Thus, Law no. 213/2008 was adopted for the amendment of Law no. 109/2007. The amendments incorporated the recommendations received from the European Commission. They concern the following issues:*

- 1. The Commission highlighted the intention of the European legislator to allow the reuse of PSI regardless of whether or not public institutions have copyrights for that information. The initial text excluded copyright protected information from reuse, even if its holders or producers were public bodies.*
- 2. The Commission also pointed out that the non-discriminatory provisions regarding the reuse have not been properly transferred into national legislation. Thus, a new article was added reaffirming the non-discriminatory conditions for the reuse of similar types of documents.*
- 3. The Commission considered that the deadline stated in the national legislation for solving the requests for reuse is inadequate. In the initial version of the law, it was stated that the request should be solved in 20 days from the moment when the department in charge receives the request. This provision was amended and the 20 days deadline starts from the moment when a request is lodged with the public institution.*
- 4. Perhaps the most significant change to the law was the elimination of fees for the reuse. Initially, public institutions were allowed to charge a fee for reuse that would have covered the costs incurred to public institutions for the preparation, generation and dissemination of public sector information. The Commission argued that it would be virtually impossible for the Government to set some clear standards for calculating such fees that would be applicable in all sectors. It also pointed out that the main goal of the Directive is to trigger reuse for commercial purposes and not to allow public institutions to make money out of it. In its current form, the Romanian law on reuse allows public institutions to charge a fee only if there is a copying cost associated with making available for reuse the requested documents/information.*

Romania signed the **Aarhus Convention** in June 1998 and ratified it in July 2000. Governmental Decision no. 878/2005<sup>18</sup> implements EU Directive 2003/4/EC and sets rules on public access to environmental information.

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17 [http://eiop.or.at/eiop/index.php/eiop/article/view/2009\\_004a](http://eiop.or.at/eiop/index.php/eiop/article/view/2009_004a)

18 [http://www.apador.org/en/legi/hot\\_1115\\_2002\\_e.rtf](http://www.apador.org/en/legi/hot_1115_2002_e.rtf)

The **INSPIRE Directive 2007/2/EC** of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community entered into force on 15 May 2007 will be implemented in various stages, with full implementation required by 2019. The Romanian Environmental SDIC is including all the institutions that are contracted by the Romanian Ministry of Environment and its subordinated bodies in projects related to INSPIRE Directive implementation<sup>20</sup> at the national level.

## 4 Does the legal framework support PSI re-use?

Like other new EU member states, Romania has a modern Constitution and the legislative framework is suited to support the re-use of PSI. However, Public Sector Bodies in Romania face budgetary constraints and also a lack of human and physical resources. As a result of budgetary constraints and qualified human resources, Romanian PSBs (especially at the local level) have strained institutional capacities. As with many other laws, implementation has thus proven to be the main bottleneck. While the proper legislative framework is in place, in practice implementation and law enforcement is often not satisfyingly realised.

## 5 Government Policy

The Romanian Government decided to allocate 1.9 billion lei ( 500 million Euro) for the implementation of the **National e-Government portal e-Romania** for the time period 2010-2013. This portal will offer a variety of e-Government functions and services online, such as paying taxes, accessing official documents and even electronic voting. According to media reports<sup>21</sup> the cost of the project has surprised experts in the field. “The Price is beyond all limits”, says expert Sergiu Biris from Trilulilu , one of the most successful IT companies in Romania. “I have not heard of a portal that, no matter how complex, would cost more than 1 million” Biris said.

According to a **National Poll**<sup>22</sup> carried out from April to May 2010 by Institute for Public Policy (IPP) most NGOs do not participate in legislative processes while lawmakers would like to involve them more and thus have them provide more input into the law-making process.

Neelie Kroes, Vice-President of the European Commission, visited Romania in July 2011 and spoke at the first ever **Romanian Digital Agenda Conference**. She met with the President, Prime Minister, and the Minister for Communications and Information Society to talk about the importance of getting every European Digital, and the challenges faced by Romania in

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19 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32007L0002:EN:NOT>

20 <http://inspire.jrc.ec.europa.eu/index.cfm/pageid/42/list/7/id/31007>

21 <http://www.dailybusiness.ro/stiri-it-c/afacerea-secolului-in-industria-it-pret-umflat-de-500-de-ori-pentru-portalul-e-romania-investitia-s-ar-amortiza-in-300-de-ani-39989/>

22 <http://ipp.ro/pagini/sondaj-na539ional-ongurile-nu-partic.php>

particular. Kroes highlights the importance of payers like EOS23, IREX24 and Microsoft25 actively engaged and in cooperation with public authorities, libraries and schools to get Romania online.

The **European Innovation Scoreboard 2009**<sup>26</sup> by the European Commission Directorate-General for Enterprise and Industry lists Romania together with Bulgaria and Latvia in the group of “catching-up countries,” with innovation performance significantly below the EU27 average. However, according to the scoreboard, all three countries are rapidly closing their gap to the average performance level of the EU27. Romania and Bulgaria have been improving their performance the fastest of all Member States.

The **United Nations E-Government Survey 2010 Leveraging e-government at a time of financial and economic crisis**<sup>27</sup>, published by the United Nations Public Administration Network (UNPAN) indicates that all of the European Member States are in the top 50 world-wide. While Romania is the last of the EU the Website of the Ministry of Finance of Romania scored high for the region due to the availability of a number of e-services as well as extensive content.

According to the Freedom House Survey on **Freedom in the World 2011**<sup>28</sup> Romania scores 2 on Political Rights and 2 on Civil Liberties (on scale of 1-7, with 1 representing the highest level of freedom and 7, the lowest). The overall status is considered as “Free”.

In the **Global Integrity Report 2010**<sup>29</sup> carried out by the Center for Public Integrity Romania’s Overall Rating is “Moderate” (79 of 100) The gap between the score for the Legal Framework (95 of 100) and the Actual Implementation (64 of 100) illustrates the problem. On “Public Requests for Government Information” the score is 58 of 100. From the Report:

*Because of its compliance with EU accession mandates, Romania earns a sparkling rating for its overall legal framework in combating corruption. However, the implementation and enforcement of that legal framework leave much to be desired. Whistle-blowing measures in the public sector do exist, but they continue to be ineffective largely because of inadequate staffing and funding.*

In the **Corruption Perceptions Index 2010**<sup>30</sup> from Transparency International Romania’s

- 
- 23 <http://www.eos.ro/>
  - 24 <http://www.irex.ro/>
  - 25 [http://www.microsoft.com/romania/educatie/partners\\_in\\_learning/default.aspx](http://www.microsoft.com/romania/educatie/partners_in_learning/default.aspx)
  - 26 <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/10/82>
  - 27 [http://www2.unpan.org/egovkb/global\\_reports/10report.htm](http://www2.unpan.org/egovkb/global_reports/10report.htm)
  - 28 [http://www.freedomhouse.org/images/File/fiw/FIW\\_2011\\_Booklet.pdf](http://www.freedomhouse.org/images/File/fiw/FIW_2011_Booklet.pdf)
  - 29 <http://www.globalintegrity.org/report/Romania/2010/>
  - 30 [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2010/in\\_detail](http://www.transparency.org/policy_research/surveys_indices/cpi/2010/in_detail)

score is 3.7 (Relates to perceptions of the degree of corruption as seen by business people and country analysts and ranges between 10 - highly clean and 0 - highly corrupt).

Also the **World Bank Indicators for Good Governance**<sup>31</sup> indicate that there is space for improvement for Romanians Government and Administration. (Percentile rank - indicates rank of country among all countries in the world. 0 corresponds to lowest rank and 100 corresponds to highest rank.)

1. Voice and Accountability: 59.1
2. Political Instability and Violence: 56.0
3. Government Effectiveness: 50.2
4. Regulatory Quality: 67.6
5. Rule of Law: 53.6
6. Control of Corruption: 57.0

## 6 Public Sector Bodies (PSBs)

In the Study **Reusing Public Sector Information - Policy Choices and Experiences in some of the Member States with an emphasis on the Case of Romania**<sup>32</sup> by Dacian C. Dragos and Bogdana Neamtu published at EIoP in August 2009 the authors analyse the issue of the commercial reuse of PSI.

One of the challenges specific for Romania is the limited capacity of public institutions to handle the process of re-use in a timely and efficient manner. The implementation of the PSI Directive into national law placed an obligation on public sector bodies to list the main documents in their possession that are available for re-use in "Asset Lists". However the findings of the study indicate these Asset Lists were not in place:

*The websites of two national agencies responsible for cadastral and weather information as well as the ones of all the ministries were scrutinized in order to determine if there are any information asset lists posted or any other relevant information on reuse. In all cases no such information was posted online.*

The National Integrity Agency (ANI) runs a website called Statements of Assets and Interests which contains public information, about 1.6 million statements of assets and interests completed by different categories of civil servants. The information comes from hard-copy documents, scanned and posted in electronic format (.pdf) in a database.

Vehicle and license registration data has been made accessible to the public online by the Directorate for Driving Licenses and Vehicle Registration.<sup>33</sup>

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31 [http://info.worldbank.org/governance/wgi/sc\\_country.asp](http://info.worldbank.org/governance/wgi/sc_country.asp)

32 [http://eiop.or.at/eiop/index.php/eiop/article/view/2009\\_004a](http://eiop.or.at/eiop/index.php/eiop/article/view/2009_004a)

33 <http://www.drpciv.ro/info-portal/displayStatistics.do?resetForm=true>

## 7 Private Sector PSI re-users

Bogdan Manolea, Romanian IT Law expert, reports<sup>34</sup> from a meeting in March 2011 with representatives from the Government and Microsoft Romania. Microsoft and the Institute for Cultural Memory<sup>35</sup> (CIMEC) have already started work on a local project publishing some of the data of CIMEC as open data using Microsoft's Open Government Data Initiative<sup>36</sup> (OGDI) solution in the cloud. Adrian Stanescu, representative of Ministry of Communications and Information Society<sup>37</sup> (MCSI), said the Ministry is working on a framework for interoperability and data exchange. The projects result will be a data register (where information will be entered by institutions that generate and update that information, e.g. Romanian Postal Services for postal codes) that will make information available to public as open data.

Other commercial re-users of PSI include geodata re-users,<sup>38</sup> monitors of public auctions<sup>39</sup> and re-use of data for car registrations.<sup>40</sup>

## 8 Civil Society & other PSI re-users

**eHarta Historical Maps**<sup>41</sup> is a collection of thousands of old geo-referenced maps, published and documented with the help of the community. The data is published by geo-spatial.org - a collaborative online platform aiming to facilitate the sharing of geo-spatial knowledge and the discovery and publishing of free geographic data sets and maps for the Romanian community.

Vasile Crăciunescu the creator of "eHarta Historical Maps" has been awarded with the "Better Data Award" in the Europe wide Open Data Challenge<sup>42</sup>. Neelie Kroes, Vice President of the European Commission personally handed the awards to the winners at the Digital Agenda Assembly (DAA) on 24 June 2011 in Brussels. This was also covered<sup>43</sup> by

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34 <http://legi-internet.ro/blogs/index.php/2011/03/11/open-data-romania-date-deschise>

35 <http://www.cimec.ro/>

36 <http://dev.govdata.eu/>

37 <http://www.mcsi.ro/>

38 See for example: <http://www.brantax.com/> ,  
<http://www.mikon.ro/ro/servicii/aplicatii-gis-si-de-mediu.html> and  
[http://www.ingr.ro/solutii\\_geospatiale/](http://www.ingr.ro/solutii_geospatiale/)

39 <http://www.info-licitatie.ro/agentieconomici/2-seap>

40

<http://apia.softnet.ro/index.php?mact=News%2ccntnt01%2cdetail%2c0&cntnt01articleid=5&cntnt01origid=15&cntnt01returnid=15>

41 <http://earth.unibuc.ro/articole/eHarta?lang=en>

42 <http://opendatachallenge.org/>

43 <http://www.wall-street.ro/articol/IT-C-Tehnologie/99933/Energia-in-UE-Cum-sa-intelegi-statisticile-in-cateva-minute.html>

Wall Street Journal Romania.

The **Institutul pentru Politici Publice**<sup>44</sup> (englisch: Institute for Public Policy - IPP) is a Romanian non-governmental organization that advocates for improving the quality of policy making processes in Romania.

IPP carries out research and advocacy in areas such as public administration reform, transparency of institutions and the integrity of elected officials. It opened the Center for Public Policy Support<sup>45</sup>, which gives all stakeholders access to resources and the opportunity to benefit from technical assistance free of charge in the preparation and evaluation of public policies. For over five years the IPP has sought to assert and protect the right of access to public information.

The IPP has created a web site with structured data about the Romanian Parliament called “**Alesii Voteaza**” (englisch: elected voting). Alesii Voteaza<sup>46</sup> is tracking the the lawmaking process and the activities of Senators and Deputies. Most data is taken from the two websites of Parliament [www.cdep.ro](http://www.cdep.ro) and [www.senat.ro](http://www.senat.ro) and the Permanent Electoral Authority<sup>47</sup>. The Data is displayed in a way so it can efficiently and easily be explored and searched. The site was first launched in 2006 and redesigned in 2010.

Adrian Moraru, deputy director with IPP explains in an interview<sup>48</sup> how they have had to obtain much of their Parliamentary data by court action:

***You are good at using the law to obtain information. Can you tell us a bit about your approach, and what information you’ve obtained through the courts?***

*This is a very distinct topic. We always ask for information via our Freedom of Information act, using a special format of letter which cannot be completely ignored. We have lawyers following the flow of requests together with an office manager and we sue every time we do not get an answer, have our request denied or find that information we’ve been provided with is incomplete.*

*We ask for a lot. A lot! Usually we fight for data that exposes bad practices and most of the things involving expenses or money. It is here where there is a lot to hurt bad politicians by exposing how unwisely some of them are spending the money.*

***Do you ever face claims that the effects you have on politicians aren’t entirely positive? If so, how do you respond?***

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44 <http://www.ipp.ro/>

45 <http://www.ipp.ro/pagini/centrului-de-suport-pentru-politici-publ.php>

46 <http://www.alesiivoteaza.ro/>

47 <http://www.roaep.ro/>

48 <http://www.mysociety.org/2007/10/04/interview-with-romanian-edemocracy-site-builder-adrian-moraru/>

*Yes large parts of the databases hurts a lot of them a great deal. Let's just say we are not scared. But on the other hand we strive to get the best data and to present it in a non aggressive, non biased way using the best algorithms.*

**Guvernare Locala**<sup>49</sup> (englisch: Local Government) is a platform for news regarding the local administration. It is developed by IPP with financial support from the Trust for Civil Society in Central and Eastern Europe (CEE Trust).

## 9 Public opinion & Media

There is little attention in mass media specific to the re-use of PSI. There are however some exceptions like Mircea Sarbu's writing<sup>50</sup> on data journalism for the Business Magazine. There is also a growing attention to, and coverage of, PSI re-use in specialised blogs<sup>51</sup> and on social media like Twitter<sup>52</sup>.

There is an active Civil Society with numerous well established NGOs promoting Government Transparency, Accountability and Anti-Corruption. Their activities, projects and campaigns often prove to attract media attention very well and so they play a significant role in the public debate.

## 10 Conclusions

The legal framework surrounding PSI re-use in Romania is up to date and in line with EU regulations. In theory, these support PSI re-use but the implementation of the laws and law enforcement, especially on the local level, does not correspond to the high level of the legislation in place. Administrative structures lack financial, personal and institutional capacity for proper implementation. Nonetheless, there have been some initiatives by PSBs and the government has embarked on an ambitious e-government programme.

Commercial PSI re-use has been mostly restricted to traditional re-users but new players are increasingly showing interest in PSI re-use. A number of committed CSOs are active on PSI issues but while there is public interest in increased transparency and access to information, this has not been effectively articulated to date, thus there is little political pressure around the issue. Media and civil society watchdogs have actively used PSI

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49 <http://www.guvernarelocala.ro/>

50 <http://www.businessmagazin.ro/opinii/jurnalism-cu-cifre-7458352>

51 <http://legi-internet.ro/blogs/index.php/2011/03/11/open-data-romania-date-deschise>

52 <http://twitter.com/#!/OpenDataBG>

legislation for anti-coirruption purposes.

### About the Author

Daniel Dietrich, born 1973 in Frankfurt, Germany. His academic work surrounds political science, computer science and communication science in Frankfurt and Berlin. He works as Research Associate at Technical University Berlin, Department of Internet and Society. He is working part-time for the Open Knowledge Foundation (OKF), since 2009. He is the official representative and the Chairman of the German Chapter of the Open Knowledge Foundation. I am the Project Coordinator for the OKF Project Open Definition as well as the Coordinator of the Working Group on Open Government Data and the Working Group on Open Data in the EU. He is also co-founder and Chairman of the Open Data Network, a non-profit advocacy organisation to promote the Open Data, Open Government and Transparency in Germany and beyond. In 2011 he became Editor of the ePSIplatform.

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