

# Open Data & Privacy - insights from Moldova

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**Open Data and Privacy have long been considered contradictory terms, with privacy getting in the way of releasing and opening up more data.**

No doubt, the two will still be perceived as each other's enemies if new approaches are not going to be explored and taken into consideration at an institutional level. For example, the approach promoted by the National Data Protection Authority in Moldova is open data by design. In other words, instead of opening up data by default, as an implicit way of releasing data, the model proposed is to create data sets having in mind all the principles of openness, but at the same time complying *right from the start* with all the legal requirements in order to protect and guarantee fundamental rights, such as privacy and data protection.

Nadejda Mironov, Interim Head of the External Relations and European Integration Department at the [National Center for Personal Data Protection of the Republic of Moldova](#) shares a few insights of the current status regarding privacy and open data:

*The main aim of the National Center for Personal Data Protection of the Republic of Moldova is to ensure an adequate level of personal data protection as it is enshrined in Article 28 of the Constitution of the Republic of Moldova and the Law on personal data protection no. 133 of July 8, 2011. Thus, strengthening adequate legal, institutional, and social frameworks to ensure the protection of individuals' fundamental rights and freedoms related to personal data processing, especially the right to inviolability of intimate, family, and private life is imperative in the context of the boom of technological evolutions.*

*Nonetheless, the challenge occurs in the moment when institutions undertake considerable steps towards promoting an open data by default, while the Data Protection Authority promotes the open data by design. On the one hand, in the context of the open data initiative, the Republic of Moldova has assumed to implement the Government e-Transformation Agenda. On the other hand, it has drawn its support in implementing the National Strategy of the personal data protection domain for the years 2013-2018 and the Action Plan for its implementation. Even if the e-Government Center has developed a tight cooperation with the National Center for Personal Data Protection of the Republic of Moldova, the personal data subjects are still [confused on the limits between the open data, transparency and privacy in their daily life](#).*

*Or, the proportionality between the right to information/access and the right to personal data protection in the Republic of Moldova is quite sensitive. At the same time, the existence of a considerable number of entities processing personal data (controllers or processors) who do not know the legal framework regulating the respective area, as well as the obligation to ensure confidentiality and security of processed personal data places the personal data protection and open data issues in a fragile corner.*