

GenO - Checklist for Public Administration for the Open Data release

The following checklist is an instrument for the public administration that intends to release open data in order to verify the legal aspects connected. For each dataset, the responsible of the service has to evaluate the following topics: privacy issues, IPR policy, licenses, limitations on public access, economical conditions, temporal aspects of the dataset.

In particular, we need to take in consideration three main directives:

- Privacy: GDPR Regulation (EU) 2016/679, Regulation (EU) 2018/1807, Directive 2002/58/EC;
- PSI: Directive (EU) 2019/1024;
- CDSM: DIRECTIVE (EU) 2019/790
- INSPIRE: Directive 2007/2/EC that define particular limitations on public access for the spatial and geodata.

Dataset Legenda:

D1 = [World Development Indicators - Labor force, female \(% of total labour force\).](#)

D2 = [Labour force by sex, age and marital status \(thousands\) - Annual.](#)

D3 = [Life expectancy by age and sex.](#)

D4 = [Health status: causes of mortality.](#)

D5 = [Gender pay gap in unadjusted form.](#)

D6 = [Enrolment rate of children in child care.](#)

D7 = [Individuals with above basic level of digital skills in Information domain, by Gender.](#)

D8 = [Gender gap in primary education: Share of enrolled female primary education students.](#)

D9 = [Gender ratios for mean years of schooling.](#)

D10 = [Educational attainment of the population \(aged 25 years and older\) Sex: Female Education Level: Upper secondary education Unit of measure: %.](#)

<p>1.6 Do you use a tool for calculating the range of the risk of de-anonymization?</p> <p>Do you anonymize the dataset? With which technique?</p> <p>Did you check the three mandatory parameters: singling out, linking out, inference out?</p>	There are not specific information regarding this point.	There are not specific information regarding this point.	There are not specific information regarding this point.	Not stated.	There are not specific information regarding this point.	Not stated.	There are not specific information regarding this point.	Not stated.	Not stated.	Not stated.
<p>1.7 Are you using geolocalization capabilities ?</p> <p>Do you check that the geolocalization process can't identify single individuals in some circumstances?</p>	Yes	No	Yes	No	No	Yes	No	Yes	Yes	No
<p>1.8 Did you check that the open data platform respects all the privacy regulations (registration of the end-user, profiling, cookies, analytics, etc.)?</p>	Yes	Yes	Yes	Yes	Yes	No clear information about this point.	Yes	Yes	Yes	Yes
<p>1.9 Do you know who are in your open data platform the Controller and Processor of the privacy data of the system?</p>	There aren't explicit information, except the contact of the Data Privacy Office.	No	Data Protection Officer is mentioned: he ensures that the European Commission correctly applies the law protecting individual	Yes. Data Protection Commissioner.	Data Protection Officer is mentioned: he ensures that the European Commission correctly applies the law protecting individual	No	Data Protection Officer is mentioned: he ensures that the European Commission correctly applies the law protecting individual	Yes, Global Change Data Lab	Yes, Global Change Data Lab	Yes, UNICEF

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data

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1.10 Where the datasets are physically stored (country and jurisdiction)?

They are stored online.

They are stored online.

They are stored online.

They are stored online.

They are stored online.

They are stored online.

They are stored online.

They are stored online.

They are stored online.

They are stored online.

Do you have a cloud computing platform?

For the privacy regulation of

Do you have checked the privacy regulation of the country where the dataset are physically stored? (territoriality)

personal data, a document is provided: "World Bank Group Policy".

1.11 Do you have non-personal data?

Yes

No

No

Yes

Yes

Yes

No

Yes

Yes

No

Are you sure that are not "mixed data"?

publication stated by your national legislation or by the EU directives ?											
4.3 Do you check if there are some limitations connected to the international relations, public security or national defence ?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4.4 Do you check if there are some limitations concerning the public interest ?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4.5 Do you check the international law limitations ?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4.6 Do you check the INSPIRE law limitations for the spatial data?	Not European dataset	Not stated	Not stated	Not stated	Not stated	Not European dataset	Not stated	Not stated	Not stated	Not stated	Not European dataset

5. Economical Conditions

To check:	D1	D2	D3	D4	D5	D6	D7	D8	D9	D10
5.1 Do you check that the dataset could be released for free ?	Yes	There is no license cited, but it is written that: "any required permission is hereby granted and no further permission must be obtained from the ILO, but acknowledgement to the ILO as the original source must be made."	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
5.2 Do you check if there are some agreements with some other partners in order to release the dataset with a reasonable price ?	Yes	Yes	Yes	Yes. There is a request to submit in order to use the material for commercial purposes.	Yes	Not stated	Yes	Not stated	Not stated	Not stated
5.3 Do you check if the open data platform terms of service include a clause of "non liability agreement" regarding the dataset and API provided ?	Yes, there is.	There is not this term of service expressed.	REGULATION (EU) 2018/1725 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	Yes	REGULATION (EU) 2018/1725 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	Yes, there are no information about this point.	REGULATION (EU) 2018/1725 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	There are no information about this point.	There are no information about this point.	There are no information about this point.

The concept of liability is expressed in the regulation mentioned in the legal section of the site.

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The concept of liability is expressed in the regulation mentioned in the privacy policy of the site.

5.4 In case you decide to release the dataset to a reasonable price do you check if the limitation imposed by the new directive 2019/1024/EU are respected ?
Are you able to calculate the "marginal cost"?
Are you able to justify the "reasonable return on investment limited to cover the costs of collection, production, reproduction, dissemination, preservation and rights clearance?
There is a national law that justify your public administration to apply the "reasonable return of investment"?

Not European dataset.

Not stated.

Not stated.

Not stated.

Not stated

Not stated

Not stated

Not stated

Not stated

Not European dataset.

5.5 In case you decide to release the dataset to a reasonable price do you check the e-Commerce directive ¹ and regulation?	Not stated	Not stated	Not stated	Not stated	Not stated	Not stated	Not stated	Not stated	Not stated	Not stated
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6. Temporary aspects

To check:	D1	D2	D3	D4	D5	D6	D7	D8	D9	D10
6.1 Do you have a temporary policy for updating the dataset ?	Quarterly	monthly/quarterly / annual	Annual	Annual	Annual	No	Annual	Periodically	Periodically	No
6.2 Do you have some mechanism for informing the end-user that the dataset is updated at a given time to avoid mis-usage and so potential risk of damage ?	Newsletter (weekly update)	Newsletter	Dataset information > Last update (date and time)	Dataset > date last input received	Dataset information > Last update (date and time)	Latest update	Dataset information > Last update (date and time)	Last update	Last update	Not stated
6.3 Did you check if the dataset for some reason can't be indexed by the research engines (e.g. Google, Yahoo, etc.) ?	indexed	indexed	indexed	indexed	indexed	indexed	indexed	indexed	indexed	indexed
6.4 In case of personal data, do you have a reasonable technical	It is not explicit, but for	It is not explicit, but for	There is a form available	You have the right to request	There is a form available	No, there is no explicit	You can exercise your right	You have the right to request	You have the right to request	There is the possibility

mechanism for collecting request of deletion (e.g. right to be forgotten)?	any request there is the possibility to contact the Data Privacy Office	any request there is the possibility to contact ILOSTAT	to require the deletion of personal data (Chapter III (Articles 14-25) of Regulation (EU) 2018/1725 - right as "data subject"). You can submit your request to the Europa Web Communication unit in DG Communication	erasure of your data contacting webmaster@oecd.org	to require the deletion of personal data. You can submit your request to the Europa Web Communication unit in DG Communication	mention of a mechanism to collect request of deletion.	as a "data subject", including the right of deletion of your data, under Regulation (EU) 2018/1725, contacting the Data Controller.	the erasure of your personal data submitting a request to info@ourworldindata.org	the erasure of your personal data submitting a request to info@ourworldindata.org	to cancel or modify your information by returning to the webpage where you first provided the information or contacting the relevant UNICEF department.
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¹ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') - <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32000L0031>