

**PUBLIC SECTOR
INFORMATION:
OPENNESS AND ITS
LIMITATIONS**



- **the state is being encouraged to uncover the information more;**
- **open and accessible formats, accuracy of data;**
- **Citizen as a scientist (Höchtl J. et al., 2017)**

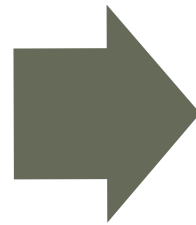
- the information pertaining to private persons requires a more careful approach;**
- **public sector information classified as secret or protected as official needs consideration**

HOW TO REACH BALANCE BETWEEN OPENNESS AND LIMITATION?



CONFLICTS OF CONFIDENTIALITY IN DISCLOSURE

Public
confidentiality
concerns



Mixed regimes:
between private
confidentiality and
disclosure

SOLUTIONS FOR MIXED REGIMES

- Certain data excluded (individual entrepreneurs register, court ruling publications);
- Total public disclosure (lists of the property of the judges and their incomes);
- Special identification requirements before disclosure (claims for the property register).

PUBLIC INTEREST

- ECHR: the information about the person with a certain public status shall not be hindered if there is a social merit:
 - Photos published to compare the lifestyles of the rich and poor - ECHR decision. Von Hannover (no. 3) v. Germany (n° 8772/10). 19 September, 2013;
 - Using photographs for political agitation - ECHR decision. Schüssel v. Austria. 21 February, 2002.

DISCLOSURE RULE

the information is to be disclosed when the public interest of such disclosure outweighs the consequences of non-disclosure (social value)



**THANK YOU FOR
ATTENTION !**

