

**DIRECTORATE FOR SCIENCE, TECHNOLOGY AND INNOVATION
DIGITAL POLICY COMMITTEE**

Working Party on Data Governance and Privacy

**Reviews of the implementation of the OECD Recommendations on Enhancing Access to
and Sharing of Data and on Public Sector Information**

**Proposed methodology, draft questionnaires and possible topics for further activities (subject to
voluntary contributions)**

This document sets out the proposed methodology and draft questionnaires for a coordinated review of both, the *OECD Recommendation on Enhancing Access to and Sharing of Data* (the EASD Recommendation, OECD/LEGAL/0463), adopted in October 2021; and the *OECD Recommendation for Enhanced Access and More Effective Use of Public Sector Information* (the PSI Recommendation, OECD/LEGAL/0362), adopted in 2008.

It also sets out possible topics for follow-on work on implementation, informed by the outcomes of the review and subject to voluntary contributions.

Action requested: DGP delegates are invited to comments on the document including in particular on the proposed draft questionnaire presented in Annex A.

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JT03584741

Reviews of the implementation of the OECD Recommendations on Enhancing Access to and Sharing of Data and on Public Sector Information: Proposed methodology and draft questionnaires

1. Background and objective

1. The *OECD Recommendation on Enhancing Access to and Sharing of Data* (the EASD Recommendation, [OECD/LEGAL/0463](#)), adopted in October 2021, sets out general principles and policy guidance on how governments can maximise the benefits of enhancing data access and sharing arrangements while protecting individuals' and organisations' rights and taking into account other legitimate interests and objectives. It is the first internationally agreed upon set of principles on how to maximise the cross-sectoral benefits of all types of data with trust – public and private sector data included. The three partner committees responsible for its oversight (the Digital Policy Committee, DPC; the Committee for Scientific and Technological Policy, CSTP; and the Public Governance Committee, PGC) are mandated to report to Council on implementation, dissemination and continued relevance in 2026.

2. In parallel, the *OECD Recommendation for Enhanced Access and More Effective Use of Public Sector Information* (the PSI Recommendation, [OECD/LEGAL/0362](#)), adopted in 2008, remains a separate legal instrument aimed specifically at the public sector to improve the availability for re-use of PSI by the public and private sectors. Its most recent implementation review was completed in 2015 ([C\(2015\)24/REV2](#)). Subsequent review cycles were not carried out, essentially because the development of the EASD Recommendation and its implementation guidance document were expected to have implications for a possible revision of the PSI Recommendation. A renewed assessment is also warranted in light of the significant evolution of open data policies, digital transformation agendas and the growing role of artificial intelligence (AI) in both the production and consumption of PSI.

3. This document sets out the proposed methodology, draft questionnaires for a coordinated review of both Recommendations. It also includes possible follow-on work on implementation, informed by the outcomes of the review and subject to voluntary contributions.

1.1. Minimising survey burden for countries as guiding principle of the review

4. Several OECD legal instruments related to data governance will be undergoing parallel review in 2026 and beyond, including: the *OECD Recommendation concerning Access to Research Data from Public Funding* [DSTI/STP(2025)21], the OECD (2013^[1]) *Recommendation concerning Guidelines Governing the Protection of Privacy and Transborder Flows of Personal Data* (*OECD Privacy Guidelines*, originally adopted in 1980, revised in 2013 and to be reviewed in 2026), and the *OECD Recommendation on Health Data Governance* (to be reviewed in 2026-27).

5. Countries thus face a potentially high volume of questionnaire-based data collection requests from the OECD. The proposed review methodology set out below therefore seeks to minimise survey burden on countries and avoid duplication of effort. It builds primarily on existing evidence, namely the Companion Document to the EASD Recommendation “Enhancing Access to and Sharing of Data in the Age of Artificial Intelligence” (hereafter “EASD Companion Document”) (OECD, 2025^{[2]; [3]}), the Digital Government Index and the Open, Useful and Re-usable Data (OURdata) Index (OECD, 2026^[4]), the responses to the Research Data toolkit monitoring [DSTI/STP(2025)21] and the draft document on the Data Governance Principles reflected in OECD legal instruments [DSTI/DPC/DGP(2025)14/REV1] as bridging framework. New data collection from countries will be limited to targeted questions addressing only those gaps that existing sources cannot fill.

1.2. Output

6. The review will produce two separate reports to Council, one per Recommendation. The EASD implementation report will be a joint document of the three partner committees (DPC, CSTP, PGC), reflecting the joint responsibility for the instrument. The PSI implementation report will be submitted by the DPC. The coordinated review process (including shared evidence base, linked questionnaire modules, common analytical framework provided by the Data Governance Principles reflected in OECD legal instruments [DSTI/DPC/DGP(2025)14/REV1]) will ensure that synergies are leveraged throughout the preparation, even though the deliverables are distinct. Each report will cross-reference the other and [DSTI/DPC/DGP(2025)14/REV1] for coherence.

1.3. Institutional structure

7. The EASD Recommendation is under the joint responsibility of three committees (DPC, CSTP, PGC), each with a distinct focus area. The review process reflects this through three questionnaire modules, each developed in close collaboration with the relevant partner committee as shown in Table 1. This structure ensures that each partner committee has a clear entry point and ownership stake in the review, while the DPC/WDGP coordinates and synthesises across all three modules, in line with past practices during the development of the EASD Recommendation.

Table 1. Modules and partner committees for the review of the EASD and PSI Recommendations

Module	Thematic focus	Partner committees (and scope)
Module A	National data strategies in the context of AI	DPC/WDGP (all types of data)
Module B	PSI as driver for AI, digital transformation in the public and private-sectors	PGC/WPSDGO (E-Leaders)(government / public sector data)
Module C	Research data access and sharing	CSTP (research data)

2. Review process

8. The review is structured around three pillars. Pillars 1 and 2 constitute the core methodology; Pillar 3, which is subject to the availability of voluntary contributions, provides an additional layer for enriching the evidence base of the review process.

2.1. Pillar 1: Desk-based analysis as the primary evidence base

9. The desk-based analysis constitutes the primary evidence base for the review of both Recommendations. It draws on the following sources including a wide range of country examples and case studies. This reuse of examples and case studies will ensure that evidence already collected is fully leveraged across both implementation review reports.

Direct sources

10. **EASD Companion Document** (OECD, 2025^[3]; 2025^[2]). This document, approved by the three partner committees in November 2024, provides practical implementation guidance to the EASD Recommendation in the context of AI. It contains over 40 country examples and 22 detailed case studies. These will be selected by relevance for the review of both Recommendations: while some examples and case studies are relevant more specifically to the PSI Recommendation (e.g. public sector reuse, licensing, high-value public sector datasets), many will pertain to EASD more broadly (e.g. private-sector data sharing and data intermediaries).

11. **DGI, OURdata Index, and the PGC's work on government data.** The OECD Digital Government Index (DGI) benchmarks the efforts made by governments to establish the foundations necessary to achieve a coherent, human-centred digital transformation of the public sector with a specific dimension on a data-driven public sector. The OECD Open, Useful, Reusable Government Data (OURdata) Index provides quantitative country benchmarking on open data availability, accessibility and government support for data reuse. (OECD, 2025^[5]) This data offers a comparative dimension that complements the qualitative evidence in the companion document, particularly for the PSI report. The questionnaires in Modules A and B have been designed to complement rather than duplicate these instruments.¹

12. **2015 PSI implementation review** (C(2015)24/REV2). Despite being dated by more than 10 years, the findings of the 2015 PSI implementation review can serve as the baseline for assessing change over the past decade. The 2015 review covered strategy and coverage, access and distribution, machine-readability, licensing and pricing practices, digitisation and economic impacts. Comparing the current state against this baseline will highlight areas of progress and persistent gaps.

13. **The OECD [Access to research data from public funding toolkit](#)** which aims to assist countries in translating the normative framework of the *Recommendation concerning Access to Research Data from Public Funding* (the “Research Data Recommendation”) into policy practice by developing practical tools and guidance resources. It is based on inputs received from Members and Partners of the CSTP, as well as inputs from the [EC-OECD STIP Compass database on science, technology and innovation policies](#).

¹ The OURdata Index measures government efforts to make open government data available, accessible, and reusable. Module B focuses on the broader scope of the PSI Recommendation, which extends to all public sector information including PSI that is not necessarily made available through open access arrangements, that carries pricing or re-use conditions, or that is subject to copyright restrictions. Where OURdata results are available, they will be cross-referenced in the desk-based analysis rather than re-asked in the questionnaire.

Cross-review linkage

14. *The draft paper on Data Governance Principles reflected in OECD legal instruments* [[DSTI/DPC/DGP\(2025\)14/REV1](#)]. This draft paper serves as the conceptual bridge connecting the EASD and PSI Recommendations (as well as the Research Data Recommendation) within the broader family of six OECD data governance instruments. Its eight cross-cutting themes (data openness and safeguards for trust; transparency and accountability; data quality and interoperability; incentives and financial sustainability; capacity and infrastructure; leadership, coherence and agility; individual and stakeholder participation; international cooperation and cross-border interoperability) serve two practical functions in this review.

15. First, they provide the analytical structure for the implementation reports: findings from desk-based analysis and questionnaire responses will be organised and assessed against these themes, ensuring consistent coverage across both reports and identifying gaps where implementation lags.

16. Second, they enable cross-instrument reuse of evidence: by mapping provisions across Recommendations to common themes, responses collected for one instrument's review can inform another's without duplicating data collection. Annex B demonstrates this by mapping provisions of the Research Data Recommendation to those of the EASD Recommendation, enabling questionnaire responses from the former to feed directly into the latter's review.

2.2. Pillar 2: Questionnaire modules

17. It is proposed that the survey of countries be organised in three modules, each aligned with a partner committee's mandate.

- *Module A (DPC/WPDGP): National data strategies in the context of AI.* This module addresses the EASD Recommendation's cross-cutting scope, examining in particular how countries are developing, revising and coordinating national data strategies, particularly in response to the growing role of AI. The proposed questions are set out in Annex A.1 below.
- *Module B (DPC/WPDGP in collaboration with PGC): PSI as driver for AI, digital transformation and public- and private-sector innovation.* This module updates the evidence base from the 2015 PSI review, assessing in particular the observed shift in public policies from the provision of open data to the increasingly recognised role of PSI as economic and AI infrastructure across the economy. The proposed questions are set out in Annex A.2 below.
- *Module C (DPC/WPDGP in collaboration with CSTP): Research data access and sharing.* This module is already underway under the auspices of the CSTP, through the Research Data Toolkit and Monitoring Questionnaire [[DSTI/STP\(2025\)21](#)]. Insights collected using this Toolkit will help monitor progress, identify gaps, share lessons learned and, where appropriate, propose updates to the Research Data Recommendation. It will also help inform the review of the EASD Recommendation thanks to an annex to that document which maps the provisions of the Research Data Recommendation to the principles and themes of the EASD Recommendation.

18. Modules A and B together comprise 19 questions and have been kept deliberately lean to minimise survey burden on countries. The questions related to Module C are presented in [DSTI/STP\(2025\)21](#). In line with the OECD Legal Directorate (LEG) guidance on developing implementation reports, the questionnaires are designed to cover the following three dimensions (see Box 1):

- Implementation of all substantive provisions of the Recommendation (including their impact on policy discussions, design and implementation), i.e.:
 - information to establish general trends (which could be presented in graphs or tables)
 - specific examples (which could be used to highlight good practices)

- suggestions as to how implementation could be improved.
- Efforts to disseminate the Recommendation (including suggestions for improving this):
 - internally (among the relevant ministries, levels of government and other relevant public institutions) and
 - externally (vis-à-vis non-Adherents and non-governmental actors).
- Opinions on the continued relevance of the Recommendation:
 - whether the Recommendation continues to be relevant
 - whether Adherents have made concrete use of it
 - areas where the Recommendation could be revised (if any) or where further work to support its implementation should be carried out.

19. To this end, Module A is structured around the seven substantive provisions of the EASD Recommendation (Sections III–IX), with each question mapping directly to a specific provision and its sub-provisions. Module B covers the thirteen principles of the PSI Recommendation through a combination of a principle-level implementation status assessment and targeted questions on areas where existing evidence sources (in particular the OURdata Index) do not provide sufficient coverage for the PSI Review. Both modules include dedicated questions on dissemination and continued relevance. A provision coverage map is included in the preamble to each module draft questionnaire.

2.3. Pillar 3: Expert roundtables and workshops (subject to voluntary contributions)

20. Expert roundtables and workshops would deepen the analysis on key themes where desk research and questionnaire responses alone may not capture the full picture, particularly on forward-looking and cross-sectoral questions. Possible themes for such events include:

- **AI and data access**, examining how national data strategies are adapting to the growing demand for training data, increasing demands for high-quality AI-ready data, and the emerging treatment of AI models as a form of data subject to access and sharing provisions.
- **PSI as national infrastructure for growth and well-being**, exploring the role of PSI in enabling digital transformation and data-driven innovation public- and private-sector and its contribution to economic growth and well-being.
- **Measuring the economic value and impact of data and data sharing**, building on the quantitative work undertaken in the 2015 PSI implementation review, which estimated the OECD PSI market at approximately USD 97 billion and aggregate economic impacts at USD 500–690 billion, while identifying significant gaps in standardised measurement methodologies across countries. This work would extend this analysis to the broader scope of data access and sharing, including in a cross-border context.

21. Depending on the interests of the countries and the insights gathered during such events, this work may evolve into the drafting of policy papers or other deliverables relevant within the framework of the PWB.

Annex A. Draft Questionnaires for Modules A and B

Annex A.1. Module A: Implementation of the EASD Recommendation in the context of AI (DPC/WPDGP)

22. This module examines the implementation of the OECD Recommendation on Enhancing Access to and Sharing of Data ([OECD/LEGAL/0463](#), adopted October 2021), with a particular focus on latest developments including artificial intelligence (AI) and their implications for enhancing access to and sharing of data (EASD).

23. The EASD Recommendation contains seven substantive provisions (Sections III–IX), organised under three headings: reinforcing trust across the data ecosystem (Section 1); stimulating investment in data and incentivising data access and sharing (Section 2); and fostering effective and responsible data access, sharing, and use across society (Section 3). Each provision sets out a general principle accompanied by specific sub-provisions indicating practical ways to implement it.

24. **Structure of this questionnaire.** Question A1 examines how AI developments are shaping data governance. Questions A2–A7 each correspond to one of the EASD Recommendation's seven provisions, with sub-provisions presented as checklist items representing concrete implementation measures. Question A8 addresses AI-specific cross-cutting dimensions. Question A9 covers key challenges. Questions A10–A11 cover dissemination and continued relevance, as required by the Council reporting mandate.

25. **Complementarity with other OECD surveys.** This questionnaire is designed to be complementary to the OECD Digital Government Index (DGI) and the Open, Useful and Re-usable Data (OURdata) Index. Where those instruments already measure specific aspects of public sector data governance, this module focuses on the broader scope of the EASD Recommendation, which covers data access and sharing across both the public and private sectors. Provision VIII (FAIR data) is assessed primarily through OURdata (open government data) and Module C (research data) and is therefore not included as a separate question in this module.

Part 1: AI and data governance

A1. How has AI shaped your data governance approach?

Since the adoption of the EASD Recommendation in 2021, artificial intelligence has emerged as a major driver of data governance reform. Which of the following developments have occurred in your country? (Select all that apply.)

- ☐ The national data strategy has been revised or is being revised to address AI-related data needs
- ☐ The national AI strategy includes specific provisions on data governance (e.g. training data access, data quality for AI, data sharing for AI development)
- ☐ Dedicated institutional coordination has been established between data governance and AI governance bodies

- ☐ AI-specific data infrastructure has been created (e.g. data spaces for AI, national data libraries, compute-linked data platforms)
- ☐ Specific measures have been adopted to facilitate data access and sharing for AI development (e.g. AI training data frameworks, regulatory sandboxes, synthetic data policies, text and data mining exceptions)
- ☐ AI models (e.g. trained models, model weights) are treated as a form of data subject to access and sharing provisions
- ☐ AI developments have not yet significantly influenced data governance policy
- ☐ Not applicable

If any selected, please describe briefly the most significant development (max 150 words):

Free text

Part 2: Implementation of EASD provisions

For each provision below, please indicate which of the listed measures your country has adopted or is developing. The measures listed correspond to the sub-provisions of the EASD Recommendation and represent practical ways to implement each provision. Select all that apply.

A2. Stakeholder engagement and trust (EASD Section III)

The EASD Recommendation calls on Adherents to empower and pro-actively engage all relevant stakeholders alongside broader efforts to increase the trustworthiness of the data ecosystem.

Which of the following measures has your country adopted? (Select all that apply.)

- ☐ **(III.a)** Inclusive consultation processes engaging relevant stakeholders — including vulnerable, underrepresented, or marginalised groups — in the design, implementation, and monitoring of data governance frameworks
- ☐ **(III.b)** Data-sharing partnerships between public and private sectors, with safeguards for fair competition and against conflicts of interest
- ☐ **(III.c)** Transparency requirements for data access and sharing arrangements, including codes of conduct, ethical principles, and privacy-specific transparency measures
- ☐ **(III.d)** Mechanisms empowering individuals and organisations to increase their control over data relating to them (e.g. through data intermediaries, personal data stores, or trusted third parties)
- ☐ One or more of the above measures is under development (please indicate which in the examples box at the end of Part 2)
- ☐ None of the above
- ☐ Don't know

A3. Strategic whole-of-government approach (EASD Section IV)

The EASD Recommendation calls on Adherents to adopt a strategic whole-of-government approach to data access and sharing, including through national data strategies.

Which of the following measures has your country adopted? (Select all that apply.)

- ☐ **(IV.a)** Prioritisation of data access and sharing arrangements that serve specific societal, policy, and legal objectives, developed with stakeholder input and taking into account benefits, costs, and risks

- ☐ **(IV.b)** Adoption and regular review of national data strategies or equivalent frameworks that integrate data governance across policy domains (economic, social, technical, legal)
- ☐ **(IV.c)** Strong leadership at the highest level of government enabling effective policy coordination with multi-stakeholder participation
- ☐ **(IV.d)** Technology-neutral and agile legal and regulatory environments that promote responsible data access and sharing while providing legal certainty
- ☐ One or more of the above measures is under development (please indicate which in the examples box at the end of Part 2)
- ☐ None of the above
- ☐ Don't know

A4. Maximising benefits while protecting rights (EASD Section V)

The EASD Recommendation calls on Adherents to maximise the benefits of data access and sharing while protecting individuals' and organisations' rights and taking into account other legitimate interests.

Which of the following measures has your country adopted? (Select all that apply.)

- ☐ **(V.a)** Data access and sharing arrangements following the principle of "as open as possible, as closed as necessary" — balancing openness with protection of national security, privacy, intellectual property, and ethical values
- ☐ **(V.b)** Measures ensuring stakeholders are informed of their rights, responsibilities, and liabilities regarding data access and sharing (including rights to information and redress)
- ☐ **(V.c-i)** Accountability mechanisms for data governance — including impact assessments, audits, and responsible data stewardship practices
- ☐ **(V.c-ii)** Clear assignment of data governance roles and responsibilities within and across organisations
- ☐ **(V.d)** Secure data access arrangements using technological safeguards (e.g. secure access rooms, privacy-enhancing technologies, controlled APIs) to enable data sharing between approved users
- ☐ One or more of the above measures is under development (please indicate which in the examples box at the end of Part 2)
- ☐ None of the above
- ☐ Don't know

A5. Incentives and sustainable business models (EASD Section VI)

The EASD Recommendation calls on Adherents to provide coherent incentive mechanisms and promote conditions for sustainable business models and markets for data access and sharing.

Which of the following measures has your country adopted? (Select all that apply.)

- ☐ **(VI.a)** Competition policy and regulation addressing data market dominance, with enforcement and redress mechanisms
- ☐ **(VI.b)** Self- or co-regulation mechanisms — including voluntary guidance, codes of conduct, and templates for data access and sharing agreements
- ☐ **(VI.c)** Long-term investment support for data access and sharing arrangements (including open data), through structured financing and revenue models
- ☐ **(VI.d)** Incentive mechanisms enabling fair distribution of benefits and rewarding stakeholders who engage in data sharing
- ☐ **(VI.e)** Support for new business models and application areas for data access and sharing (e.g. data spaces, data intermediary platforms, data clean rooms, or equivalent sectoral or cross-sectoral data-sharing platforms)

- ☐ **(VI.f)** Mandatory data sharing or data portability obligations (e.g. sector-specific data access requirements, smart data schemes)
- ☐ One or more of the above measures is under development (please indicate which in the examples box at the end of Part 2)
- ☐ None of the above
- ☐ Don't know

A6. Cross-border data access and sharing (EASD Section VII)

The EASD Recommendation calls on Adherents to further improve conditions for cross-border data access and sharing with trust.

Which of the following measures has your country adopted? (Select all that apply.)

- ☐ **(VII.a)** Assessment and minimisation of restrictions to cross-border data access and sharing, particularly for global public interest purposes, while respecting fundamental rights
- ☐ **(VII.b)** Measures ensuring that conditions on cross-border data sharing are non-discriminatory, transparent, necessary, and proportionate to the level of risk
- ☐ **(VII.c)** International dialogue and co-operation to foster interoperability and mutual recognition of data access and sharing arrangements
- ☐ One or more of the above measures is under development (please indicate which in the examples box at the end of Part 2)
- ☐ None of the above
- ☐ Don't know

A7. Capacity building (EASD Section IX)

The EASD Recommendation calls on Adherents to enhance the capacity of all stakeholders to effectively use data responsibly along the data value cycle.

Note: The DGI and OURdata measure government-specific data literacy and infrastructure. This question addresses capacity building across all sectors.

Which of the following measures has your country adopted? (Select all that apply.)

- ☐ **(IX.a)** Awareness-raising and dissemination of good practices on responsible data access, sharing, and use, including through dialogues with all relevant stakeholder groups
- ☐ **(IX.b)** Promotion of data-related skills and competencies — including among workers, public servants, and the public — covering data literacy and the capacity to understand and exercise data-related rights
- ☐ **(IX.c)** Facilitation of access to sustainable, open, scalable, safe, and secure foundational infrastructures for the data value cycle (connectivity, storage, computing), including through digital security risk management and public-private partnerships
- ☐ One or more of the above measures is under development (please indicate which in the examples box at the end of Part 2)
- ☐ None of the above
- ☐ Don't know

A7-bis. Examples and references (optional)

For any measures selected or under development in A2–A7 above, please provide up to three examples of notable implementation measures, with references where available. Please indicate which provision(s) each example relates to (e.g. "Section V: ...").

Where your country has a multi-level governance structure, this is also the place to note significant sub-national variations.

A reference to a published document or URL is sufficient. Max 300 words.

Free text

Part 3: AI-specific cross-cutting dimensions

A8. AI-specific data provisions

Has your country adopted specific measures to facilitate data access and sharing for AI development and deployment beyond those reported in A1? (Select all that apply.)

- ☐ AI training data frameworks or guidelines (including text and data mining exceptions)
- ☐ Regulatory sandboxes or other experimental regulatory frameworks for data-intensive AI applications
- ☐ Synthetic data policies or guidance
- ☐ Sectoral data spaces designed for AI use cases
- ☐ Data quality frameworks specifically addressing AI training and deployment needs
- ☐ Requirements on AI developers regarding training data documentation or transparency
- ☐ Other (please specify)
- ☐ None beyond what was reported in A1

If any selected, please describe briefly (max 150 words):

Free text

Part 4: Key challenges

A9. Challenges

What are the main challenges your country faces in implementing the EASD Recommendation? (Select your top three.)

- ☐ Fragmentation of legal frameworks across policy domains
 - ☐ Cross-border barriers to data sharing
 - ☐ Lack of incentives for data sharing
 - ☐ Skills gaps
 - ☐ Trust deficits
 - ☐ Technical interoperability
 - ☐ Coordination across levels of government (including federal/sub-national)
 - ☐ Coordination across regulatory authorities
 - ☐ Other (please specify)
-

Part 5: Dissemination and continued relevance

A10. Dissemination

Has the EASD Recommendation been explicitly referenced or used in the development of national policies? (Select all that apply.)

- ☐ Referenced in national legislation or regulatory instruments
- ☐ Used in the design or revision of national data strategies or policy frameworks
- ☐ Promoted across ministries and agencies as a reference framework
- ☐ Shared with sub-national levels of government
- ☐ Used in engagement with non-Adherent countries or international fora
- ☐ Not actively referenced or used

A11. Continued relevance

In light of developments since 2021, particularly in AI, does the EASD Recommendation remain relevant in its current form, or are there areas where it should be updated?

- ☐ Still relevant as is
- ☐ Relevant but would benefit from additional implementation guidance (without revising the text)
- ☐ Some provisions need updating to reflect new developments (e.g. AI, data intermediaries)
- ☐ Needs significant revision

Please specify areas for update or additional implementation guidance (max 200 words):

Free text

Annex A.2. Module B: PSI as a driver for AI, digital transformation and public- and private-sector innovation (DPC/DGP in collaboration with PGC)

26. This module examines the implementation of the OECD Recommendation for Enhanced Access and More Effective Use of Public Sector Information ([OECD/LEGAL/0362](#), adopted 2008), updating the evidence base from the 2015 implementation review ([C\(2015\)24/REV2](#)).

27. The PSI Recommendation contains thirteen principles, covering: openness; access and re-use conditions; asset lists; quality; integrity; new technologies and long-term preservation; copyright; pricing; competition; redress mechanisms; public-private partnerships; international access and use; and best practices.

28. **Relationship to the EASD Recommendation.** The EASD Recommendation ([OECD/LEGAL/0463](#), adopted 2021) broadened the scope of OECD data governance policy from PSI to all data. Several PSI principles are now also addressed by EASD provisions. This module includes a question (B8) exploring the extent to which PSI provisions are now effectively covered by broader data governance frameworks, informing the assessment of the PSI Recommendation's continued relevance as a separate instrument.

Part 1: Current implementation status and evolution

B1. Significant changes since 2015

Since the 2015 PSI implementation review, which of the following areas has your country made significant progress in? (Select all that apply.)

*Note: For areas marked with , your country's OURdata results will be cross-referenced in the desk-based analysis.

Openness and access

- ☐ New or revised legislation on PSI access and re-use
- ☐ Shift to open-by-default policy for government data *
- ☐ New or upgraded open data portal *
- ☐ Improved awareness of available PSI (e.g. asset lists, data inventories) *

Quality, integrity, and technology

- ☐ Improved data quality standards or frameworks *
- ☐ Enhanced data integrity and security safeguards
- ☐ Expanded API availability for key datasets *
- ☐ Improved interoperable archiving, search, and retrieval technologies
- ☐ New digitisation initiatives (including cultural heritage, born-digital PSI)

Re-use conditions and economic framework

- ☐ New or revised re-use conditions (including copyright, licensing, or waiver frameworks)
- ☐ New pricing model (including shift toward free or marginal-cost access)
- ☐ Adoption of high-value dataset frameworks
- ☐ Improved competitive neutrality in PSI provision

Engagement and accountability

- ☐ New stakeholder engagement mechanisms for PSI policy *

- ☐ Improved redress mechanisms (complaints and appeals processes)
- ☐ New public-private partnerships for PSI dissemination or digitisation *

International dimension

- ☐ Improved cross-border access or interoperability of PSI
- ☐ No significant change across any of these areas

Please describe the most significant change(s) briefly (max 200 words):

Free text

Part 2: PSI as AI and economic infrastructure

Reminder: Please consider all PSI, not only open data.

B2. Government use of PSI for AI

Is your government using public sector information to develop or deploy AI systems for public purposes (e.g. public service delivery, regulatory analysis, environmental monitoring, fraud detection)?

- ☐ Yes, actively promoted as a policy priority
- ☐ Yes, occurring in specific agencies but not as a cross-government priority
- ☐ Under exploration
- ☐ Not aware of significant use

If yes or under exploration, in which sectors? (Select all that apply.)

- ☐ Health
- ☐ Transport
- ☐ Environment / climate
- ☐ Geospatial
- ☐ Statistics
- ☐ Justice / law enforcement
- ☐ Finance / tax
- ☐ Education
- ☐ Agriculture
- ☐ Other (please specify)

Please describe a notable example (max 100 words):

Free text

B3. Economic value of PSI re-use

Has your country conducted or commissioned any studies or assessments of the economic value or impact of PSI re-use (not limited to open government data)?

Note: The OURdata Index asks about economic impact assessments of open government data specifically. This question covers PSI re-use more broadly, including commercial re-use of non-open PSI.

- ☐ Yes, regular assessments

- ☐ Yes, ad hoc studies
- ☐ No, but planned
- ☐ No

If yes, please provide a reference to the most recent study (title, year, URL if available):

Free text

Part 3: Conditions for PSI re-use — beyond open data

Reminder: This section addresses PSI that is not provided as open data — i.e. PSI that carries re-use conditions such as licensing, pricing, copyright restrictions, or conditioned access. These dimensions are outside the scope of the OURdata Index.

B4. Re-use conditions

Has your country taken steps to improve re-use conditions for PSI since 2015? (Select all that apply.)

- ☐ Simplified or standardised re-use conditions (licensing, terms of use)
- ☐ Revised pricing policies (e.g. toward marginal cost or free access for certain categories)
- ☐ Revised copyright frameworks to facilitate PSI re-use (e.g. copyright waivers, open licensing)
- ☐ Designated categories of high-value datasets for priority release under open or preferential conditions
- ☐ Improved competitive neutrality (public bodies' own value-added activities treated on same basis as competitors)
- ☐ Established or revised frameworks for commercial PSI provision (e.g. trading fund models, cost-recovery arrangements)
- ☐ No significant changes
- ☐ Not applicable (all PSI is provided as open data)

If your country has designated categories of high-value datasets for priority release, please indicate which categories, using your country's own categorisation or equivalent (e.g. geospatial, earth observation and environment, meteorological, statistics, company ownership, mobility):

Free text

B5. Barriers to PSI re-use

What are the main barriers that limit re-use of PSI in your country, including by the private sector? (Select your top three.)

- ☐ Restrictive re-use conditions
- ☐ Pricing
- ☐ Data quality issues
- ☐ Lack of machine-readability
- ☐ Discoverability / lack of awareness of available PSI
- ☐ Legal uncertainty (including unclear copyright status)
- ☐ Skills gaps among re-users
- ☐ Limited API access
- ☐ Fragmentation across levels of government (federal/sub-national)

- ☐ Tension between open and commercial PSI models
 - ☐ Other (please specify)
-

Part 4: PSI in broader policy context

B6. Digital transformation role

To what extent is PSI access and re-use integrated into your country's broader digital transformation or digital government strategy?

- ☐ Central pillar
- ☐ One component among many
- ☐ Addressed indirectly
- ☐ Not integrated

If "Central pillar" or "One component among many", please name the relevant strategy document or policy framework:

Free text

B7. Relationship between PSI and broader data governance frameworks

Since the adoption of the EASD Recommendation in 2021, has your country's approach to PSI been influenced by broader data governance frameworks (e.g. national data strategies, cross-sectoral data governance laws)?

- ☐ Yes — PSI policy is now largely integrated into broader data governance frameworks
- ☐ Partially — some PSI principles are addressed through broader frameworks, others remain PSI-specific
- ☐ No — PSI policy remains distinct and self-standing
- ☐ Don't know

If yes or partially, which PSI principles are now effectively addressed through broader data governance frameworks? (Select all that apply.)

- ☐ 1. Openness (presumption of openness as default)
- ☐ 2. Access and re-use conditions (non-discriminatory access, transparent conditions)
- ☐ 3. Asset lists (inventories of available PSI)
- ☐ 4. Quality (data collection and curation standards)
- ☐ 5. Integrity (safeguards against unauthorised modification)
- ☐ 6. New technologies and long-term preservation (interoperable archiving, digitisation)
- ☐ 7. Copyright (IP frameworks facilitating re-use)
- ☐

- ☐ 8. Pricing (transparent, marginal-cost-based where possible)
 - ☐ 9. Competition (competitive neutrality in PSI provision)
 - ☐ 10. Redress mechanisms (complaints and appeals processes)
 - ☐ 11. Public-private partnerships (for PSI dissemination/digitisation)
 - ☐ 12. International access and use (cross-border interoperability)
 - ☐ 13. Best practices (sharing and exchange of good practices)
-

Part 5: Dissemination and continued relevance

B8. Dissemination

Has the PSI Recommendation been explicitly referenced or used in the development of national policies?
(Select all that apply.)

- ☐ Referenced in national legislation or policy documents (please provide further details)
- ☐ Promoted across ministries and agencies (including sub-national levels of government)
- ☐ Used in engagement with non-Adherent countries or international fora
- ☐ Superseded by reference to the EASD Recommendation or other instruments
- ☐ Not actively referenced or used

B9. Continued relevance

Given the evolution of open data policies, the EASD Recommendation's broader scope, and the growing role of AI, does the 2008 PSI Recommendation remain relevant as a separate instrument?

- ☐ Still relevant and distinct as is
- ☐ Partially overlaps with EASD but PSI-specific provisions still needed (please specify which)
- ☐ Needs significant updating or additional implementation guidance
- ☐ Should be merged into EASD
- ☐ Other (please specify)

Please specify areas for update or additional implementation guidance (max 200 words):

Free text

Annex B. Mapping the Research Data Recommendation to the OECD Recommendation on Enhancing Access to and Sharing of Data

This Annex illustrates how provisions of the Research Data Recommendation align with those of the EASD Recommendation, enabling survey results from the former to be repurposed for the latter's review (rather than duplicating data collection efforts). Its objective is to enable responses provided through the questionnaire for monitoring the *Research Data Recommendation* [see [DSTI/STP\(2025\)21](#)] to also serve as substantive input for the review of the implementation of the EASD Recommendation, and in doing so, to avoid duplication of efforts and reduce reporting burdens for countries.

Pillar A: Data governance for trust

Pillar A is reflected in Section 1 (“Reinforcing trust across the data ecosystem”) of the EASD Recommendation, notably the provisions calling on Adherents to:

- encourage data access and sharing arrangements that ensure that data are as open as possible and as closed as necessary to protect legitimate public and private interests, including national security, law enforcement, privacy, personal data protection, intellectual property rights, and ethical values (V.a);
- take necessary and proportionate steps to protect these interests as a condition for data access and sharing (V.b);
- apply systematic risk-management measures throughout the data value cycle (V.c);
- adopt conditioned access arrangements, including technological and organisational safeguards such as access controls and privacy-enhancing technologies (V.d);
- ensure inclusive representation and stakeholder engagement in the design, implementation, and monitoring of data governance frameworks (III.a);
- empower individuals and organisations through mechanisms such as trusted third parties that strengthen their agency and control over data relating to them (III.d);
- work with stakeholders to define the purpose of data access and sharing arrangements and identify relevant data, taking into account benefits, costs, and risks (IV.a).

Pillar B: Technical standards and practices

Pillar B corresponds to Section 3 (“Fostering effective and responsible data access, sharing and use across society”), and in particular provision VIII, which recommends that Adherents:

- foster the findability, accessibility, interoperability and reusability (FAIRness) of data across organisations and sectors;
- ensure that data are provided with appropriate metadata, documentation, data models and algorithms, supported by suitable access mechanisms, including APIs (VIII.a);
- promote the development and adoption of interoperable specifications, including common standards for data formats and models and open-source implementations, through open, voluntary, and consensus-based efforts, in cooperation with relevant stakeholders and standard-setting bodies (VIII.b).

Pillar C: Responsibility, ownership and stewardship

Pillar C is reflected in selected provisions of Section 1 and Section 2 (“Stimulating investment in data and incentivising data access and sharing”) of the EASD Recommendation, including:

- encouraging data access and sharing arrangements that are as open as possible and as closed as necessary (as under Pillar A) (V.a);
- encouraging competition-neutral data-sharing partnerships, including public–private partnerships (PPPs), while avoiding conflicts of interest or undermining government open data arrangements (III.c);
- supporting the development of new business models and application areas for data access and sharing, reflecting the roles, rights, and responsibilities of stakeholders (VI.e).

Pillar D: Incentives and rewards

Pillar D aligns closely with Section 2 of the EASD Recommendation, which explicitly focuses on incentives and sustainability. It recommends that Adherents:

- foster competitive markets for data, supported by sound competition policy and regulation that addresses risks such as market dominance (VI.a);
- support long-term investments in data access and sharing arrangements, including open data, using a mix of structured financing and revenue models (VI.c);
- promote incentive mechanisms that ensure fair distribution of benefits and recognise, encourage and reward stakeholders who engage in data access and sharing (VI.d).

Pillar E: Sustainable infrastructures

Pillar E is reflected in Section 3 of the EASD Recommendation, in particular:

- facilitating access to, and adoption of, sustainable, open, scalable, safe and secure foundational infrastructures, including connectivity, storage, and computing (IX.c);
- promoting digital security risk-management practices, incentivising infrastructure investment and adoption, and leveraging PPPs where appropriate (IX.c).

Pillar F: Human capital

Pillar F is reflected in the capacity-building provisions of Section 3, which call on Adherents to:

foster awareness of the benefits and risks of data access, sharing, and use, and promote responsible data governance across stakeholder groups (IX.a);

promote development of data-related skills and competencies among workers, public servants, and the public, including data literacy and the ability to understand and exercise data-related rights (IX.b).

Pillar G: International cooperation for access to research data

Pillar G corresponds to Section 4 (“Further improving conditions for cross-border data access and sharing with trust”), which recommends that Adherents:

- minimise unnecessary restrictions to cross-border data access and sharing, particularly for global public-interest purposes, while ensuring respect for fundamental rights and vital interests (VII.a);
- ensure that any measures conditioning cross-border access are non-discriminatory, transparent, necessary and proportionate, taking into account data sensitivity, purpose, context, and enforcement mechanisms irrespective of jurisdiction (VII.b);
- promote dialogue and international co-operation to foster interoperability and mutual recognition of data access and sharing arrangements, consistent with applicable legal requirements and global

standards (VII.c).