

## Open letter: Protect open standard licences for public sector information

Dear Members of the European Parliament,

The European Parliament has a crucial role to play in the ongoing Digital Omnibus process: protecting the use of open standard licences for public sector information.

While the Digital Omnibus seeks to simplify EU digital legislation, it also introduces [a subtle but far-reaching change](#) to Europe's public sector information framework. The proposal allows public sector bodies to impose actor-specific licence conditions on different categories of users.

This would represent a fundamental departure from the Open Data Directive, a key accomplishment of EU policy that has been refined over the course of over twenty years.

Unfortunately, the draft report by the main committees ITRE and LIBE as well as IMCO's draft opinion fail to address this highly problematic change, and while JURI's draft opinion addresses the issue, the proposed solution falls short.

### Open standard licences are a cornerstone of open government

The EU itself [promotes](#) the use of standard open licences because they maximise legal certainty and interoperability while minimising transaction costs.

A common framework for reusing public sector information delivers significant benefits:

- **Better access to reliable information:** High-quality public sector information can be freely reused by open knowledge projects such as Wikipedia, Wikidata and OpenStreetMap, as well as countless other public-interest applications that reduce dependence on proprietary platforms.
- **Greater government transparency:** Openly licensed public sector information strengthens accountability, democratic participation and trust in public institutions.

- **Research and innovation:** Official statistics, environmental information, and cultural heritage collections are essential inputs for scientific research and European technological innovation. Making these resources legally more difficult to reuse would only widen Europe's innovation gap.

## **Differentiated charging for access, not differentiated licensing**

The objective of ensuring that very large companies contribute fairly to the provision of public services should be achieved through differentiated charging for access.

Where access to public sector information is controlled through technical means, such as APIs, differentiated pricing is both feasible and appropriate. A number of cultural heritage institutions already manage access to their collections in this way to recover the costs of making data available or infrastructure costs associated with intensive automated access by AI crawlers.

However, imposing differentiated licensing conditions for very large companies has the unintended consequence of hindering re-use by everyone. We urge lawmakers to continue promoting the use of open standard licences. Replacing them with bespoke or actor-specific licences would undermine legal certainty and interoperability. This would increase costs for all users, forcing researchers and start-ups to navigate different legal terms or negotiate individual permissions with often under-resourced public institutions. It would prevent public-interest projects such as Wikipedia, Wikidata and OpenStreetMap from reusing public sector information altogether.

**We therefore call on Members of the European Parliament to remove the possibility for actor-specific licence conditions (in Article 32r(4)) and strengthen the requirement to use standard open licences (in Article 32r(3)).**

Sincerely,

COMMUNIA – International Association for  
the Public Domain  
ANSOL – Associação Nacional para o  
Software Livre  
AIB – Associazione Italiana Biblioteche  
ApTI – Asociatia pentru Tehnologie si  
Internet  
BAD – Associação Portuguesa de  
Bibliotecários, Arquivistas, Profissionais da  
Informação e Documentação  
Centrum Cyfrowe  
CNR Area territoriale di ricerca di Bologna -  
Biblioteca Dario Nobili  
Creative Commons  
Creative Commons – German Chapter  
Creative Commons Italy  
D3 – Defesa dos Direitos Digitais  
Digital Republic  
EIFL – Electronic Information for Libraries  
epicenter.works – for digital rights  
FESABID – Federación Española de  
Sociedades de Archivística,  
Biblioteconomía, Documentación y  
Museística

GFOSS – Open Technologies Alliance  
iRights e.V.  
Knowledge Rights 21  
Musiikkiarkisto – Music Archive Finland  
ODIPI – Open Data and Intellectual Property  
Institute  
Open Content  
Open Future  
Open Knowledge Foundation  
Open Knowledge Foundation Deutschland  
Open Knowledge Finland  
Open Knowledge Foundation France  
Open Knowledge Sweden  
Open Nederland  
OSI Europe Foundation  
Wikimedia Deutschland  
Wikimedia España  
Wikimedia Europe  
Wikimédia France  
Wikimedia Italy  
Wikimedia Portugal  
Wikimedia Sverige  
Xnet – Institute for Democratic Digitalisation