Summary Report (draft)

Meeting between Commission and SK on the implementation of the INSPIRE Directive,

Brussels, 11th March 2016

<u>Participants</u>

COM, DG ENV, Unit D4

Mr Robert Konrad, Head of Unit,

Joeri Robbrecht

Adam Daniel Nagy

<u>SK</u>

Mr. Martin Tuchyňa

Mr. Ondrej Kliment

Mr. Marek Žiačik

Mr. Martin Koška

Agenda item 1. Setting the scene

DG ENV introduced the context for the bilateral meetings as set out in the background by highlighting in particular:

• These meetings are drawing on the conclusions on implementation based on the analysis of MS reports, the EU geo-portal, and the mid-term evaluation report as well as studies. The meetings have as objective to look into the future, seek assistance, funding possibilities and to see where Member States may have difficulties, and to draw up an action plan,

• The discussions also have a principle focus on priority-setting and common understanding with Member States on the environmental acquis as part of the INSPIRE implementation process as well as a contribution to the new initiative on streamlining of monitoring and reporting. The priority-setting was presented to the MIG-P in December as well. Bi-laterals with MS and Maintenance and Implementation Work Program processes go hand in hand.

• There is a need for a holistic view of the implementation of the Directive that serves multiple purposes related specifically to environmental policy areas, but also broader

initiatives, such as the Digital Single Market priority of the European Commission (in particular concerning cross-border and cross-sector interoperability, free flow of data initiative, Cloud initiative and e-Government, etc.).

• **SK** reassured COM of commitment for implementation and cooperation and presented at the meeting an action plan to address the issues raised. SK provided an overview of the action plan for addressing all implementation gaps and priority-setting. A presentation was provided on the actual situation on the legal framework, governance structure, stakeholder involvement. The coordination structure is rather centralized. Stakeholders include the ENV Min, Min of Finance, Mapping Agency, Ministry of Interior, Ministry of Justice, including all relevant ministries and representation of local government. SK clarified that delegation represents all stakeholders on behalf of National Spatial Data Infrastructure (NSDI) Coordination Council. Clarification was provided that eGovernment and open data policy initiatives are followed closely also in view of better implementation of INSPIRE. Efforts are directed towards showing practical benefits and use cases of INSPIRE.

• **DG ENV** indicated that it welcomed the ambition level to close all the implementation gaps via the action plan. It was emphasized that it would also be good to reflect this in the May 2016 report. The Commission will assess this action plan and draw the necessary conclusions in view of the reporting priority setting and the legal obligations based on the INSPIRE Directive.

Agenda item 2. Introduction by DG ENV on missing data sets and key priorities for implementation and reporting

DG ENV explained the complexity of INSPIRE implementation and main challenges, and how implementation can be stepped up, by priority-setting. Based on section 2 of the meeting document, DG ENV introduced the suggestion for a priority setting in order to address the problem of missing datasets and future implementation challenges more effectively. As a pragmatic approach the EU environmental directives which have upcoming reporting deadlines until 2020 should be covered when ensuring that the related datasets are being made INSPIRE compatible (in accordance with the implementation roadmap respecting requirements on metadata, services, interoperability). At first count this seems to be between 45 datasets, stemming from over 175 actual reporting obligations. In the long term the list will be broadened to cover other than the priority environmental data themes (top of the priority pyramid in the 2nd agenda point ppt). This is also based on the pairing of the INSPIRE implementation and the Regulatory Monitoring initiative. The list based on the priority setting will firstly focus on the priority one area. This first list will be communicated to MIG/T in April 2016. In addition to the EU priorities there should be also national priorities set up. The user perspective is also crucial, namely on how the stakeholders can benefit also from these activities also to avoid a bureaucratic approach, but focus on needs and benefits.

So far, it seems that only limited amount of reporting datasets were available in SK. DG ENV explained the usefulness of having a more focused coordination with experts in charge of

environmental reporting in other policy areas. DG ENV highlighted that there are missing datasets for reporting and by 2013 the datasets should have been made available as is, without harmonisation. It was explained that there needs to be priority-setting in terms of organising the information (see pyramid in ppt).

SK acknowledged that many of the data sets are not available yet in an INSPIRE compliant manner. Some good practices and projects were presented by SK on ELF project. Reasons included of lack of sufficient coordination structures and inappropriate communication. SK highlighted that after December 2016 MIG/P meeting the approach was changed based on a new NSDI action plan. National priority setting has already been started along with screening of level of implementation based on the identified reporting obligations. From the priority setting point of view, there is need to make further progress on cadastral parcels, agricultural, monitoring and meteorological data.

Agenda item 3. Introduction by DG ENV on compliance with INSPIRE requirements on "Interoperability of spatial data sets and services"

Based on section 3 of the meeting document, DG ENV presented the main figures on the implementation of interoperability and the related use of common data models. In particular, the importance of interoperability was highlighted which has demonstrated to deliver concrete benefits for those involved in implementation on certain cross-border use cases. Moreover, the priority setting discussed earlier was particularly relevant also for harvesting the added value of interoperability. DG ENV highlighted the usefulness of an action plan to handle the implementation and that priority setting would be helpful and also to include this in the INSPIRE report due by 2016 May. DG ENV also indicated that two main challenges include scope and complexity, plans include to address these by priority-setting. It was asked how was the harmonisation done and how it is planned to be achieved?

SK indicated that interoperability is also in the focus of activity. Harmonisation of data has also started in terms of the priority data sets. Statistics went down also because of misinterpretations by data-provides. 40% of the themes are covered by the mapping tables. By the end of the year all data is planned to be documented falling under INSPIRE in SK also to be published through services.

SK faces some obstacles in terms of some themes. Results on Annex I can be expected by end of the year. On hydrography there are also good practices. There also have been identified issues related to clarification of the responsibilities and requirements for non spatial themes (Coordinate reference systems and Geographical grids). Annex II-III there are still challenges, major implementation gaps. Currently the efforts are increased for better implementation to bridge the gaps. Progress is made in terms of mapping and going towards a higher level of detail. However, ambitions should be realistic, as there are limited resources. This year aim is to prioritize and to select reporting channels and start harmonisation. The aim in general to serve also the reusable elements and domain-specific needs of public administrations and not only for INSPIRE.

Good examples include with CZ and HU in terms of cross-border cooperation on services and data-sharing. There are some bilateral commissions in charge of mapping, data-sharing, but there are still important obstacles, such as applications in terms of ensuring flow of datasets (especially species, river-basin management plans, etc.).

DG ENV highlighted on-going initiatives like GGIM. Thematic areas in some areas are already covered by INSPIRE, such as agricultural data. On land-use and land coverage activities are on-going led by JRC.

Agenda item 4. Presentation by DG ENV on compliance with metadata under Annex I-III

Based on section 4 of the meeting document, DG ENV presented the information as regards the INSPIRE compliance with metadata. **SK** acknowledged problems. Now activity is on-going to filter non-relevant INSPIRE metadata that is found very time-consuming. DG ENV highlighted that JRC is addressing existing problems of validation. There is an on-going eGovernment project for spatial data registry that will be operational by end of the year 2016 the latest. INSPIRE-compliant metadata catalogue will be implemented fully. Validation tools are planned to be provided for data-providers. It was indicated by DG ENV that there are good practices for 100% compliant INSPIRE components that could be made publicly available. For the time being, validation for the Spatial reference system shall be less strict from the EC INSPIRE validation tool.

Agenda item 5. Introduction by DG ENV on non-compliance of Spatial Data Services (discovery, view and download services) with the requirements of the INSPIRE Directive

Based on section 5 of the meeting document, implementation progress and gaps with conformity and availability of network services were presented. There are only limited number of services.

SK agreed with the assessment that there are problems. It is envisaged to develop further the services. For view and download services there are more obstacles, such as misinterpretation on the actual content of compliance with INSPIRE requirements. On view services challenges include implementation by data-providers, data access limitations and compliance with legal and technical rules. Most complex challenge is the implementation of download services. It was discussed how the different use of the services can be screened and monitored. It was indicated by DG ENV that there are already free of charge applications (eg. by Google Analytics, which is free, however not entirely secure). In SK no authorities use GML, also because of limited resources. DG ENV clarified that there is no legal obligation to use this, there is only the actual objectives of the INSPIRE Directive and implementing rules to be achieved. Importance of the availability of reference implementations Discovery, View, Download services was also highlighted.

Amendments and changes in the SK framework was also triggered by the exchange between COM-SK under the EU Pilot system. Therefore the legal framework is considered to be

appropriate, as ministry must provide support for technical connection, which triggered changes as of May in practice as well.

Agenda item 6. Introduction by DG ENV on compliance with INSPIRE requirements on data-sharing between authorities and public access

Based on section 6 of the meeting document, DG ENV introduced the topic, by explaining the importance of coordination between the different levels in the public administration. It was also highlighted that effective data-sharing policies are one of the key objectives of the Directive and requested further explanation on technical obstacles in SK.

SK indicated that there are still challenges in terms of data-sharing, such as free access. There are bad examples such as marketing of data even between departments in the same administration or among the various public authorities. SK agreed with the problematic solution assessed by COM. Some activities to address this issue already took place with amendment of the NSDI law (362/2015 Coll.), whilst some are envisaged with the reform of Decree 352/2011 Coll. providing the further clarification to the NSDI law. Data-sharing licences and agreement templates will be established. One aim is to clarify the data-sharing in SK and to secure information flow towards Commission.

Obstacles include identifying precise scope of INSPIRE. Interpretation of national reference topographic, cadastral datasets is not clear in terms of INSPIRE coverage as their structure is wider and differs from the one defined by INSPIRE scope. It remains also unclear, whether it is possible to publish datasets without explicit licence. DG ENV indicated that a FAQ document is already available on-line on COM INSP site.

Next steps include NSDI Coordination Council Action plan, INSPIRE Monitoring and Reporting. NSDI 2016-2020 implementation strategy is to be established.

DG ENV highlighted that based on INSPIRE and access to environmental information Directive the available datasets should be in the public domain (freely accessible and without any restrictions). Datasets, where only part of their content falls under the INSPIRE Themes scope (or content of INSPIRE UML model) shall follow INSPIRE data sharing arrangements. Some good examples include UK and IE for open data policy. The free flow of data initiative at EU level is one example for open data policy coming from the highest political level. The process most probably has to be driven by a top-down approach. Discussions are on-going on win-win situations as regards opening up data policies, how this is beneficial for the economy and business and also highlighting how this can contribute to reducing the burden of reporting obligations.

DG ENV highlighted the benefits of open data policies, building on the 7th EAP, some binding legal obligations stemming from Article 14 of the INSPIRE Directive, Directive 2003/4/EC and on on-going initiatives at EU level with a clear political priority, such as the free flow of data initiative.

Agenda item 7. Discussion with Member States experts on funding opportunities

DG ENV presented briefly the financing opportunities at EU level which may be used in support of implementing the INSPIRE Directive. DG ENV indicated that it will provide additional information in a structured way to all Member States and will encourage them to share their experiences with EU-funded projects. DG ENV highlighted that there is a further need to strategically coordinate.

Conclusions/follow-up.

The meeting was welcomed by all participants to take stock on the current state of implementation and identified collaborative ways forward to close the existing implementation gaps.

SK Delegation agreed to take the following actions:

- To respond to the draft summary report within two weeks of receipt. The final, agreed summary report will be made publicly available by the Commission.

- To follow-up on the issues raised at the meeting and to reply to the letter sent by the European Commission to the Permanent Representation on the 1st December 2015 along with the 2016 due report on INSPIRE, by 15th May 2016 the latest.

- Without prejudice to the legally mandated deadlines, to submit an action plan including a timetable which addresses remaining implementation gaps discussed at the meeting as soon as possible with particular view of the priority-setting on those data sets which are relevant for EU environment legislation. The action plan together with the timetable for actions will be communicated along with the next INSPIRE implementation report in May 2016.

- To further carry on with strengthening national coordination structures between national INSPIRE experts and other national experts to discuss the issues of datasets used for reporting of environmental legislation. This will be a coordinated effort in data-identification covering both reported priority data sets and INSPIRE data themes.

The Commission, DG ENV, agreed to take the following actions:

- To circulate the draft summary report within two weeks of the meeting to the delegation for comments and approval.

- To continue discussion at EU level on a minimum set of datasets linked to EU environmental legislation. DG ENV will continue following up on the process and aims to provide priority datasets list by June 2016.

- Send link to the FAQ document already available on-line on COM INSP site