

Summary Report

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

Lisbon, 11th February 2016

Participants

COM, DG ENV, Unit D4

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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,
- Meetings have as objective to look into the future, see assistance, funding possibilities and to see where Member States may have difficulties, and to draw up a roadmap,
- The meetings 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.).
- **PT** reassured COM of commitment for implementation and cooperation and presented at the meeting a summary of: (1) organizational aspects of INSPIRE implementation in Portugal (Coordination), (2) the collaborative process of building a vision for 2020 to the national SDI (SNIG – *Sistema Nacional de Informação Geográfica*) (SNIG 2020) that took place in 2015 after a diagnosis study to characterise the 2015 situation on the national SDI and INSPIRE Directive implementation. PT also mentioned that the “Guiding principles for an action plan for SNIG 2020” were already established. Both the vision SNIG 2020 and the Guiding Principles for the Action Plan were approved by the Council for the SNIG Strategic Coordination (CO-SNIG). The Action Plan SNIG 2020 will be produced in 2016.
- **PT** showed that the governance structure is based in CO-SNIG, which involves many entities from Central Public Administration that have responsibilities on production of the geographic information (GI) listed in INSPIRE Directive Annexes. CO-SNIG is chaired by DGT, the INSPIRE National Contact Point. A monitoring and reporting working group was set up at the start of INSPIRE implementation, as a subgroup of CO-SNIG. Existing National Thematic Working Groups were restructured to align them with the EU Thematic Clusters and since December 2015 are being reinvigorated. These Working Groups have

representatives from all public entities that produce GI listed in INSPIRE Directive Annexes and will have a crucial role to promote directive implementation. The National SDI (SNIG) was created by a decree law (DL) back in 1990 and the DL 180/2009 (updated by DL 84/2015) transposes the INSPIRE Directive to national law and updates SNIG. A third one will enter into force soon. INSPIRE implementation has been focused on entities from Central Public Administration and Autonomous Regions of Açores and Madeira, and PT is now studying the future involvement of regional and local entities.

- **DG ENV** requested clarification on how the economic crisis affected the implementation. PT indicated that the crisis worsened already existing problems related to lack of human and financial resources, and the way how INSPIRE and SNIG were faced between 2012 and 2014 within DGT further delayed directive implementations and national SDI development.
- **DG ENV** indicated that it welcomed the ambition level to close all the implementation gaps via the action plan SNIG2020. 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. DG ENV highlighted that there is a clear legal obligation for implementation and an initial investment cannot be avoided for mid and long term benefits, including “quick wins” already by this and next year (2016-2017).

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 80-100 datasets. In the long term the list will be broadened to cover other than environmental data themes. 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 parallel work started on deepening the inter-relation of the different priority structures. 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 PT. 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 found that this is not the case. Therefore, it can be concluded that there are missing crucial reporting units, that were already reported and available for the MS. It was explained that there needs to be priority-setting in terms of organising the information (see pyramid in ppt).

PT presented the different responsibilities and authorities in charge of handling datasets. Currently the newly set up National Thematic Working Groups will help identify the data that each entity is responsible for. A table will be set up for identifying datasets with all attributes in order to see clearly what are the missing elements. **PT** indicated that they need the list of priority datasets by June from the Commission. National entities will be asked to identify their data needs. Priorities will be set up after EU input is received. **PT** also flagged that for many of the themes data models are not available yet. DG ENV indicated that "as is" publication should not be a problem eg. for water bodies. The data models for reporting will be gradually developed.

PT asked if there is a template for action plan. It was clarified that there is no template, it is for MS to establish this.

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 a roadmap to handle the implementation and that priority setting would be helpful and also to include this in the INSPIRE report due by 2016 May. It was asked how was the harmonisation done and how it is planned to be achieved? DG ENV clarified that harvesting and reporting on INSPIRE related data shall be simplified also to avoid different national and EU views on same data.

PT acknowledged seriousness of challenges on implementing interoperability of spatial data sets and services. Most critical issue is to create harmonized data, and challenges include lack of financial and human resources and a reduced technical capacity, and therefore training is a priority. Problems also include complexity of implementing rules. National Thematic Working Groups will soon start to address harmonisation. Cooperation between academia and public authorities will also be strengthened. A weak involvement of public administration at high level may be critical to INSPIRE implementation. In November a high level meeting on SNIG and INSPIRE implementation will take place, also aiming to involve the Secretary of State.

PT asked clarification on issues raised at MIG/P as regards planned changes to implementing rules and guidelines.

DG ENV clarified that there will not be change until 2020. On implementing acts and guidance, work is on-going under the MIWP in order to explore possibilities for simplification.

PT presented some examples of best practices on cooperation with Spain, mainly on cartography as INTERREG projects (also Madeira, Açores and Canarias, but not directly related to INSPIRE). A new project is planned on data harmonisation. Every year there is a conference with national mapping agencies and other entities in PT/ES on SDIs (since 2010), i.e. JIIDE (Jornadas Ibéricas de Infraestruturas de Dados Espaciais).

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.

PT mentioned that inconsistencies between PT reported indicators and data that is available within the INSPIRE EU Geoportal that were highlighted by DG ENV in the annotated agenda for this meeting are a consequence of the way how this geoportal harvests the national metadata catalogue. The current process uses a filter based on the metadata ID of the monitorized dataset and services, defined by DGT. This activation of the filter is manual and it has not been activated very frequently. So, what happens is that PT reported indicators and the EU Geoportal data in the annotated agenda do not refer to the same moment in time. On the other hand, the filter used faced some problems in the past, which explains some other differences between PT reported indicators and INSPIRE Geoportal. **PT** intends to improve the metadata harvesting before the end of 2016. The new harvesting will be based on a predefined keyword that will be inserted in the metadata. This issue will be addressed in the newly set up National Thematic Working Groups.

PT indicated that will construct a table to compare PT reported indicators and data that is available within INSPIRE geoportal. This table will be inserted in the PT Action Plan (May 15, 2016).

PT mentioned that differences between PT reported indicators and INSPIRE geoportal related to metadata conformity can be explained because PT and EU do not use the same validator to estimate conformity. Even though the PT validators need to be improved, **PT** indicated that there are also problems with the current EU validators, e.g. national projection systems are not accepted by validator and metadata are labelled as non-compliant.

PT mentioned that during 2016 there will be two workshops to specifically address metadata conformity in Portugal. PT entities will then be invited to improve metadata conformity.

DG ENV highlighted that detailed follow-up will be initiated with JRC to make sure that national geo-portal and datasets are linked up to the EU geo-portal in a similar way.

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.

PT mentioned that, like in metadata, there also differences between the **PT** reported indicators and the INSPIRE Geoportal related to services. These differences are due to: (1) **PT** reported indicators and INSPIRE Geoportal data within the annotated agenda refer to different moments in time, (2) problems in harvesting and (3) differences in the conformity validators that are used.

PT agreed with the assessment that there are huge problems. These are also generated by the lack of resources, personnel. More involvement of higher public administration and higher political commitment is needed. The users of data are still not used to the services and old habits still prevail in many cases (transferring data on CDs, etc.). There should be a network of focal points for services (similarly as for metadata), a key person to deal with the services. Services also imply higher resource needs, in terms of IT infrastructure.

DG ENV clarified that as part of the Digital Single Market (DSM), namely to digitalize policies it is both a priority for MS and the EU. Apart from legal requirements and possible legal action at EU level, it is also important to understand and demonstrate how implementation of the INSPIRE contributes to digitising policies serving top EU political priorities and demonstrate delivery of benefits for data-holders and the users.

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 **PT**. **DG ENV** highlighted that based on INSPIRE and access to environmental information Directive the available datasets should be in the public domain. 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.

PT was invited to share experiences on the main obstacles that were also highlighted in the recent INSPIRE report. Many institutions are facing obstacles on use of data and restrictions. Also others have a problem of disclosing as they generate a revenue for disclosing information. A report is in the process of being finalized on data-sharing. There are 2 main portals serving INSPIRE and data policies. One is an open portal (IGEO) for disclosure of environmental information, as this is free, it generates more hits. The other is the national SDI portal which includes data that is not available for free. There is a need for simplification of data-sharing. Currently there is no clear picture on costs for data under each institution's competence, this will be mapped in the near future. **PT** does not have an open data policy but the recently created vision of the national SDI for 2020 (i.e. SNIG2020) defends an open data policy.

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.

Some positive examples were mentioned in **PT** under LIFE and structural funds. **PT** highlighted that also EU projects need to be compliant with INSPIRE (H2020).

There are thematic platforms such as SNIMAR (a SDI for data related to the sea/ocean), in which multiple institutions are involved, metadata and services are developed, that will contribute further to the development of SNIG. There are also other examples of spatial infrastructure related initiatives on-going in **PT**.

Agenda item 8. Open EU Pilot No. 4703/13 on transposition

PT presented plans to address the issues raised in the Pilot letter. CO-SNIG already addressed these issues. Article 5 and 10, Annexes were not transposed. These will be corrected this year. New decree law will be adopted. This occasion will be used to broaden INSPIRE Council to involve more members. Detailed planning for the planned amendment will be sent in two weeks to **DG ENV**.

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.

PT 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 update the 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. PT also undertook to establish a table with indicators with specific dates and available data/services, etc. The action plan together with the timetable for actions will be communicated along with the next INSPIRE implementation report in May 2016.
- To continue using 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 with the overall aim is to implement an open data policy by 2020.
- To amend legislation in line with the grievances formulated under EU Pilot No. 4703/13 as soon as possible and will provide an action plan to achieve this, in two weeks.

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.
- Follow-up will be initiated with JRC to make sure that national geo-portal and datasets are linked up to the EU geo-portal in a similar way. DG ENV and JRC to provide final list of datasets as soon as possible. ETRS validation process to be checked with JRC.
- Need to follow-up on funding at EU level, and integrate INSPIRE requirements in the funding programmes so that INSPIRE becomes an intrinsic requirement.