



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL ENVIRONMENT  
Directorate D - Implementation, Governance & Semester

The Director

Brussels, **01 DEC. 2015**  
env.d.4(2015)5999188

**Subject: Implementation of the INSPIRE Directive**

Dear Deputy Permanent Representative,

I would like to draw your attention to the obligations set out in Directive 2007/2/EC establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (hereafter "the INSPIRE Directive").

There are a number of very important deadlines that have elapsed and that should be respected by the Member States, as the related actions contribute to achieving the objectives of the Directive and to facilitate the work of national authorities.

In view of the above, my services have identified a number of challenges concerning application of the Directive, as explained in detail in the annex to this letter.

Before taking further steps on these, we would appreciate pre-Pilot bilateral exchange with your national experts either in meeting or by way of a written exchange in response to this letter. We would envisage that such an exchange with the national experts involved in the implementation of the Directive would help solving the existing problems without launching further procedures. Please find enclosed a more detailed analysis of the shortcomings that we have identified and our main related questions. It also provides more detail on the overall approach taken by the Commission services.

As a result of these exchanges, every Member State will be asked to draw up an "action plan" for improving the compliance situation and closing acknowledged implementation gaps. Moreover, the Commission services encourage Member States to already identify specific actions to ensure that the ambitious 2017 and 2020 deadlines will be met.

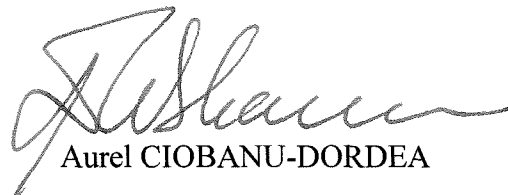
This "action plan" should be presented alongside the next implementation report as required by Article 21 of the INSPIRE Directive and due in May 2016. The Commission services will then analyse those action plans alongside the progress reports in implementation. Based on this analysis after the May 2016 deadline, the Commission services will decide on what further approach it will follow in relation to compliance promotion and insurance of the INSPIRE Directive (2007/2/EC).

Mr Alexander MICOVČIN  
Deputy Permanent Representative  
Permanent Representation of Slovakia  
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Therefore, we would like you to kindly consider the option of a bilateral meeting or a written exchange and express your preference to us by the 15th January 2016 at the latest. In case of interest for a bilateral meeting, we would appreciate your proposals for possible dates between 1st February 2016 and 15th April 2016.

Should you have any queries, my colleagues are ready to give you further information (Adam Daniel Nagy (02 299 15 40) or the secretariat (02 299 83 85).

Yours sincerely,



Aurel CIOBANU-DORDEA

Enclosure: Annotated agenda

CC: Mr Marek Ziacik (marek.ziacik@sazp.sk) (NCP for INSPIRE)

**Annex – Agenda of a possible meeting/written exchanges  
between Commission and Member States experts on the  
implementation of the INSPIRE Directive**

**Chair of the meeting: XXX**

9:00	1.	Welcome by DG Environment, Head of Unit, Mr. Konrad Robert
9:10	2.	Introduction on identification of spatial data sets and priority setting
		Discussion
10:00	3.	Introduction on compliance of "Interoperability of spatial data sets and services"
		Discussion
10:30	4.	Introduction on compliance with metadata under Annex I-III
		Discussion
11:00	5.	Introduction on compliance of Spatial Data Services (discovery, view and download services)
		Discussion
11:30	6.	Introduction on compliance with data-sharing between authorities
		Discussion
12:00-13:00 Lunch		
13:00	7.	Discussion with Member States experts on funding opportunities
13:30	8.	Conclusions and next steps
14:00	9.	Close

The meeting will be based on the background paper and annotated agenda in the Annex.

# **Scene-setter and annotated agenda for meeting/written exchange between Commission and Member States experts on the implementation of the INSPIRE Directive in Member States**

## **1) Scene-setter**

Between 2013 and 2015, a number of important deadlines have elapsed under the INSPIRE Directive and the related actions contribute to achieving the objectives of that Directive and to facilitate the work of national authorities. After assessment of the Member State reports to the EU geoportal, a number of shortcomings concerning application of the INSPIRE Directive were identified for all Member States (see report of EEA and JRC).

On the basis of this work, the Commission is currently finalising its implementation report and its REFIT evaluation which is designed to analyse whether the INSPIRE Directive is still "fit for purpose" and provides the basis for actions to be taken over the coming years. Moreover, the Commission has launched a broad review of reporting obligations and in the field of environment policy, the INSPIRE Directive has been identified as a key tool to assist making the reporting process for efficient. All these initiatives will require Member States to focus their future implementation efforts to better support these EU level process.

The main elements of the evidence-base used by DG ENV to assess the current level of implementation in the Member States are the following:

- the yearly monitoring indicators reported by the Member States (for years 2010-2014) and the 3-yearly implementation reports;
- the actual indicators based on harvested metadata from the registered Member State Discovery service(s);
- the occurrence and accessibility of Member State metadata, data and services in the INSPIRE Geoportal;
- the mid-term evaluation report on INSPIRE implementation, jointly prepared by the JRC and the EEA.

Accordingly, as a result of its findings, DG ENV has decided on a three-step follow-up process with all Member States to discuss the state-of-implementation and the "distance to target" and to explore whether dedicated actions could be initiated by each Member State individually to ensure compliance as soon as possible. The three step approach is set up as follows:

As a first step, EU pilot procedures were initiated with those Member States who failed to connect their discovery services to the EU geoportal.

As a second step the 23 Member States have been grouped into two groups and for practical reasons will be conducted in the order of availability of national experts. 10 Member States were invited in July 2015 for bilateral technical follow up meetings. Results of this exercise and future follow-up are also subject of the INSPIRE Maintenance and Implementation Policy Group (MIG-P) discussions taking place on 4th December 2015.

The third step, launched with the present letters, involves the remaining 13 Member States. However, for practical reasons, it is not possible and envisaged to meet all Member States before May 2016.

In order to organise the meetings or written exchanges in an efficient way and to allow all Member States to get involved in the process, the meetings will be organised during a period of approximately one year. The objectives of these technical meetings are:

- To clarify questions and provide additional information on the various implementation aspects;
- To analyse and share the understanding of the shortcoming in the implementation;
- To identify solutions and concrete actions in order to improve the implementation and close eventual compliance gaps and, where necessary, set priorities;
- To discuss ways in which the national authorities could be best assisted in ensuring swift and complete implementation.

Following the exchanges, DG ENV and the respective Member State will be asked to draw up an action plan for improving the situation.

## 2) Annotated agenda

### **Agenda item 2. Introduction by DG ENV on missing data sets and key priorities for implementation and reporting followed by discussion with Member States experts**

By December 2013 all digital spatial data sets falling under the 34 spatial data themes (Annex I-II-III of INSPIRE) should have been, identified, documented and made available 'as-is' online through services conform with INSPIRE.

These data sets and services **should be accessible through the EU geo-portal**.

In accordance with article 1 of the Directive the identification of the data sets should have been based on the requirements of spatial data for implementation, monitoring assessment and reporting in the various legal acts of the environmental acquis.

For example: the main obligations under the Urban Waste Water Directive , UWWD require and or result in spatial data for:

- Planning (e.g designation and establishment of sensitive areas)
- Regulation (e.g. agglomerations with more than 2000 p.e. are supplied with collecting systems, and that the capacity of these is such that all urban waste water is collected, taking account of normal local climatic conditions and seasonal variations)
- Monitoring (e.g parameters monitored from both discharges from urban wastewater treatment plants and receiving waters)
- Information and reporting (e.g. efficiency of treatment plants (i.e. treatment level and monitoring results) and the quality of receiving waters; status of discharges from the food-processing industry to surface waters;) )

An assessment of the yearly Member States monitoring reports and the status of the availability through the EU geo-portal clearly shows that **a considerable amount of spatial data has not yet been brought online** (or reported to).

This lack of compliance with the Directive limits the wider use of the spatial data sets for environmental policies and policies or actions which may have an impact on the environment.

In addition to the UWWD, several other environmental directives require spatial data for their implementation and reporting.

The table below list a number of key directives for which reporting on the status of their implementation is scheduled between 2016 and 2020.

They represent as such the thematic priorities for identifying and bringing online all spatial data sets covered by the INSPIRE data themes required to support implementation and/reporting.

**Table 1: Reporting timetable until 2020**

<i>Environmental Directives with reporting obligations</i>	<i>Reporting deadlines</i>
Directive 2008/50/EC on ambient air quality and cleaner air for Europe	<b>31/12/2015</b>
Directive 2007/60/EC on the assessment and management of flood risks – flood risk management plans	<b>22/03/2016</b>
Directive 2000/60/EC on establishing a framework for the Community action in the field of water policy - river basin management plans	<b>22/03/2016</b>
Directive 2008/56/EC establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)	<b>31/03/2016,15/10/2018, 15/10/2020</b>
Emissions - Regulation EC/166/2006 concerning the establishment of a European Pollutant Release and Transfer Register (e-PRTR) and Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants (the LCP Directive)	<b>31/03/2016</b>
Council Directive 91/271/EEC concerning urban waste-water treatment	<b>02/06/2016</b>
Council Directive 91/676/EEC concerning the protection of waters against pollution caused by	<b>16/06/2016</b>

nitrates from agricultural sources	
Council Directive 1999/31/EC on the landfill of waste	<i>30/09/2016</i>
Directive 2000/60/EC establishing a framework for Community action in the field of water policy (WFD)	<i>30/09/2016 and 22/03/2019</i>
Directive 2009/147/EC on the conservation of wild birds	<i>31/12/2019</i>
Directive 2000/60/EC establishing a framework for Community action in the field of water policy (WFD)	<i>22/12/2018</i>
Directive 2010/75/EU on industrial emissions (the Industrial Emissions Directive or IED)	<i>30/09/2017</i>
Directive 2002/49/EC relating to the assessment and management of environmental noise (the Environmental Noise Directive – END)	<i>31/12/2017</i>
Directive 2006/21/EC on the management of waste from the extractive industries (the mining waste directive)	<i>01/02/2018</i>
Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora	<i>30/06/2019</i>
Directive 2007/60/EC on the assessment and management of flood risks	<i>22/03/2019, 22/03/2020</i>

**Questions for discussion:**

Do you agree with our assessment that a considerable number of spatial data sets are not yet reported and available online?

In your case, what are the reasons why those data sets are not yet identified and online?

What are your plans to identify the 'missing' data sets and to bring them online?

**Agenda item 3. Introduction by DG ENV on compliance with INSPIRE requirements on "Interoperability of spatial data sets and services" followed by discussion with Member States experts**

**Issue 1:** By 23 November 2012, MS should have progressed towards reaching the interoperable spatial data objective by having newly created<sup>1</sup> or extensively restructured INSPIRE Annex I data organised according to INSPIRE data specifications.

<sup>1</sup> 'Newly created' applies to all spatial data collected after the adoption of INSPIRE on 15 May 2007.

Interoperability is crucial for a functioning access and search of spatial information via the EU geo-portal.

**Questions for discussion:**

Do you share this assessment? Do you have any comments?

What are your plans to remedy the situation? By when?

**Issue 2:** Important efficiency gains are expected once spatial data is organised in common data models. It then becomes easier to share information across borders and disciplines and applications far less costly to implement. It helps reducing duplicated data collection and promotes the broad dissemination and use of data.

The deadlines for doing this<sup>2</sup> for all the spatial data sets are in the future (23/11/2017 for ALL Annex I spatial data, 21/10/2020 for ALL Annex II and III).

**Questions for discussion:**

What are your plans to achieve compliance?

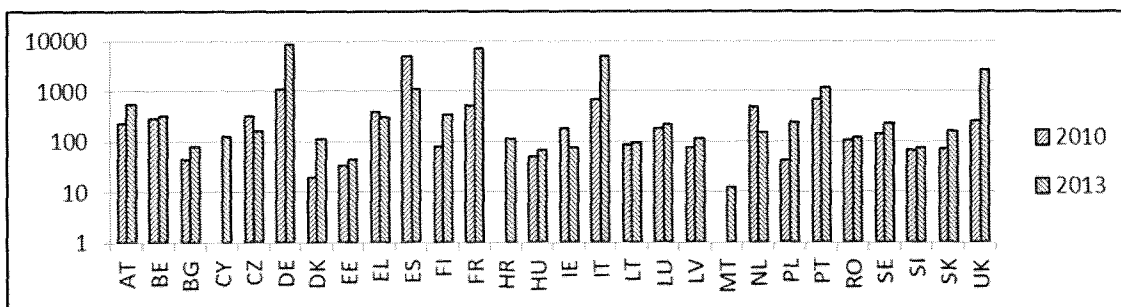
What are your views on this in terms of feasibility?

Do you see a need for priority setting and if so, on what should these priorities be based in your view? For example, prioritise the common data modelling on the basis of upcoming reporting requirements as listed in Table 1.

**Agenda item 4. Presentation by DG ENV on compliance with metadata under Annex I-III followed by discussion with Member States experts**

To find spatial data online they need to be documented and conform to the documentation standards and content. The documentation should for example, allow the users to assess the quality of the data and to be informed about the use conditions. All the identified spatial data sets should have been documented conform to INSPIRE by December 2013.

Since 2010 there has been a steady growth in the number of documented spatial data sets although there are significant differences on the numbers and thematic coverage of spatial data sets reported between Member States.

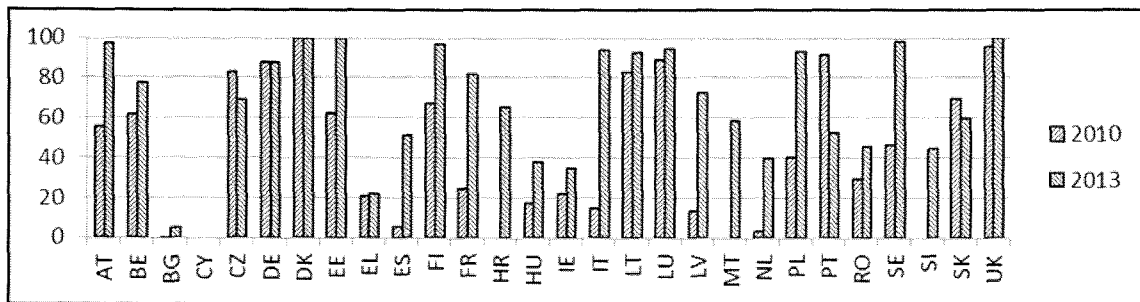


Evolution 2010-2013 – Volume of spatial data sets with metadata (logarithmic scale)

<sup>2</sup> In accordance with Commission Regulation (EU) No 1089/2010 of 23 November 2010



However, with only 12 Member States having over 80% of their documentation conform in 2013 this remains an issue.



Evolution 2010-2013 - % of spatial data sets with conform metadata

**Questions for discussion:**

Do you share this assessment? Do you have any comments?

What are your plans and solutions to remedy the situation? By when?

**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, followed by discussion with Member States experts**

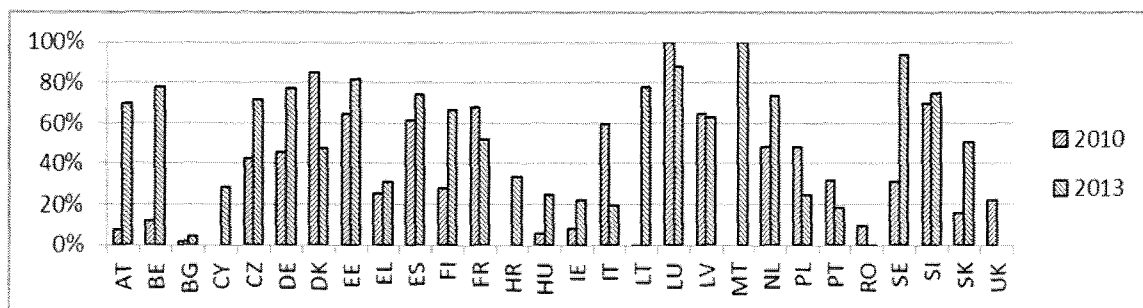
By December 2013, Member States needed to have such online services for discovery, view and download in place for all (100%) of their documented spatial data sets.

They should be online through the EU geo-portal.

Evolution 2010-2013 - % of spatial data sets with discovery services

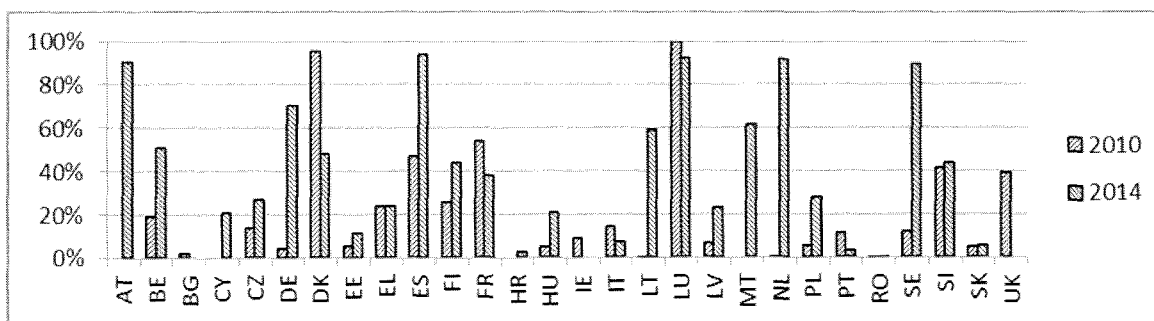
Although progress has been made since 2011, the overall accessibility of spatial data sets through view and download services still has a lot of room for improvement.

About half of the Member States publish 60 to 100% of their reported spatial data sets through view services. For the other Member States the availability of view services is below 50%.



Evolution 2010-2013 - % of spatial data sets with view services

A similar trend is noticeable for download services. However, only about a quarter of the Member States have 60 to a 100% of their reported spatial data accessible for download with a majority below 50% (Figure 9).



Evolution 2010-2013 - % of spatial data sets with download services

### Questions for discussion:

Do you share this assessment? Do you have any comments?

What are your plans and solutions to remedy the situation? By when?

### Agenda item 6. Introduction by DG ENV on compliance with INSPIRE requirements on Data-sharing between authorities followed by discussion with Member States experts

Policies allowing access and use of spatial data without procedural obstacles should have been in place by 15 May 2009. Based on the INSPIRE implementation reports (2010, 2013) and the mid-term evaluation report on INSPIRE implementation, the Member State data-sharing provisions are documented and possible issues are identified.

The results in this area are highly variable and heterogeneous. The data policies and business models applied are often very different<sup>3</sup>. They range from fully open and free access and use to the other extremes of full cost recovery, raising revenue and diversifying types of public-private-partnerships. Some Member States<sup>4</sup> reported to have effective policies in place. A majority of the Member States<sup>5</sup> still reported problems in adopting such policies covering all INSPIRE data themes at all levels of government.

### Questions for discussion

Do you share the general EU level assessment?

Do you consider the current implementation of data sharing in MS sufficiently effective to remove all procedural obstacles to data sharing with the MS, with other MS and with the EU levels?

In terms of efficiency, how do you rate the administrative burden of the current situation?

What are the MS plans for ensuring that 'all practical obstacles, occurring at the point of use, to the sharing of spatial data sets and services' are removed based on Article 17 of the Directive?

What are your plans and solutions to improve the situation? By when?

<sup>3</sup> Mid-term evaluation report on INSPIRE implementation, page 39, EEA-JRC Technical report, 2014.

<sup>4</sup> DK, EE, ES, FI, NL, LU, PL, SE

<sup>5</sup> UK, DE, SK, CZ, IE, RO, FR, LT, SI, , BE, IT, GR, CY, AT, LV, BG