



INSPIRE

Infrastructure for Spatial Information in Europe

Review of the Monitoring & Reporting Decision (2009/442/EC)

Type	Draft document for information and discussion
Creator	DG ENV
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Identifier	INSPIRE MIG/7/2017/DOC6
Description	Proposed review of the Commission Decision of 5 June 2009 implementing Directive 2007/2/EC (INSPIRE) as regards monitoring and reporting (2009/442/EC) following the unanimous support in the INSPIRE Committee for revision in view of simplification and cost reduction of reporting under the INSPIRE Directive.

actions:	MIG to: <ul style="list-style-type: none">• Take note of the document and discuss at the 7th meeting of the MIG• Provide feedback for finalizing the review in view of possible endorsement by the MIG
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COMMISSION DECISION (EC) No .../..**of [...]****implementing Directive 2007/2/EC of the European Parliament and of the Council as regards monitoring and reporting****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)¹, and in particular Article 21(4) thereof,

Whereas:

- (1) Directive 2007/2/EC requires Member States to monitor the implementation and use of their infrastructures for spatial information and to report on the implementation of that Directive.
- (2) Monitoring should be based on a set of indicators calculated on the basis of the data collected from the appropriate stakeholders at the various levels of public authority.
- (3) In order to develop and implement an optimized and effective process according to Art. 21 of INSPIRE Directive, in line with the Better Regulation Guidelines (COM(2015)111) and the aims of the Fitness Check on environmental monitoring and reporting it is appropriate to improve monitoring and reporting in line with the state of the art best practices on information management and reporting.
- (4) To address the need for implementation and compliance information, a new system should be introduced taking account the results of the Commission Report on Actions to Streamline Environmental Report² and its related Fitness Check. In particular, Member States should make accessible all relevant data. This should ensure that the administrative burden on all entities remains as limited as possible. It requires that active dissemination at national level should be done in accordance with Directive 2003/4/EC of the European Parliament and of the Council³ and Directive 2007/2/EC of the European Parliament and of the Council (INSPIRE)⁴, to ensure the appropriate

¹ OJ L 108, 25.4.2007, p. 1.

² COM (2017) 312 available at: http://ec.europa.eu/environment/legal/reporting/pdf/action_plan_env_issues.pdf

³ Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

⁴ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

infrastructure for public access, reporting and data-sharing between public authorities. In that context, Member States and the Agency should base the specifications for spatial data on the implementing acts adopted under Directive 2007/2/EC.

- (5) [*Recital on review*] Data reported by Member States are essential for the Commission to monitor, review and assess the performance of the legislation against the objectives it pursues in order to inform any future evaluation of the legislation, in accordance with paragraph 22 of the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016⁵. This Decision should include a provision for its future evaluation, on the basis of data collected during its implementation, possibly complemented by additional scientific, analytical data. In that context, there is a need for relevant data that will allow better assessment of the efficiency, effectiveness, relevance, and EU value added of the INSPIRE Directive, hence the necessity to ensure appropriate reporting and monitoring mechanisms that can also serve as indicators.
- (6) To minimize the burden of monitoring, the monitoring indicators should be calculated based on the metadata of spatial data sets and spatial data services to be provided by Member States as laid down in Article 5 of Directive 2007/2/EC.
- (7) To minimize the burden of reporting, Member States should only update the reported information for the parts of the report that has changed.
- (8) Additional metadata keywords should be introduced in order to enable the identification of spatial data sets that have been prioritised by the Commission and to identify the administrative granularity (National – Regional or Local) of a spatial data set.
- (9) To support the assessment of the accessibility of a spatial data set for downloading and or viewing through its metadata, the documentation of online resources for download or view in the metadata of spatial data sets should be made mandatory.
- (10) The results of monitoring and reporting should be made publicly available.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 22 of Directive 2007/2/EC,

⁵ OJ L 123, 12.5.2016, p. 1.

HAS ADOPTED THIS DECISION:

CHAPTER I GENERAL PROVISIONS

Article 1 Subject matter

1. This Decision lays down detailed rules on monitoring by Member States of the progress on the implementation of Directive 2007/2/EC and the implementation and use of their infrastructures for spatial information.

Article 2 Common provisions for monitoring and reporting

1. Member States shall provide access to the metadata of spatial data sets and spatial data services corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC through the discovery network service(s) connected to the INSPIRE geoportal exploited by the European Commission.
2. All results of monitoring and reporting shall be made available to the public via the Internet or any other appropriate means of telecommunication.
3. Sectoral monitoring and reporting obligations under Annexes I-III of Directive 2007/2/EC shall be applied without prejudice to this Decision.
4. The European Environment Agency shall publish and update a Union overview on the basis of the data referred to in Articles ... published or notified by the Member States and compiled by the Agency on a regular basis or following receipt of a Commission's request. The Union overview shall include, as appropriate, indicators for outputs, results and impacts of this Directive, Union overview maps and Member State overview reports. The Agency shall specify the formats and software for submission of information in accordance with Article ... (or ANNEX).

CHAPTER II

MONITORING OF THE IMPLEMENTATION OF METADATA REQUIREMENTS

Article 3

Monitoring of the availability of metadata

1. The following indicators shall be used to measure the number of metadata for the spatial data sets and services corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC made available through discovery services referred to in point (a) of Article 11(1) of that Directive:
 - (a) a general indicator (MDi1) which measures the number of metadata for the spatial data sets and services corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC on the basis of their corresponding metadata made available through discovery services;
 - (b) the following specific indicators:
 - (i) MDi1.1 which measures the number of metadata for the spatial data sets corresponding to the themes listed in Annex I to Directive 2007/2/EC on the basis of their corresponding metadata made available through discovery services;
 - (ii) MDi 1.2 which measures the number of metadata for the spatial data sets corresponding to the themes listed in Annex II to Directive 2007/2/EC on the basis of their corresponding metadata made available through discovery services;
 - (iii) MDi 1.3 which measures the number of metadata for the spatial data sets corresponding to the themes listed in Annex III to Directive 2007/2/EC on the basis of their corresponding metadata made available through discovery services;
 - (iv) MDi 1.4 which measures the existence of metadata for the spatial data services corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC on the basis of their corresponding metadata made available through discovery services.

Article 4

Monitoring of the conformity of metadata

1. The following indicators shall be used to measure the conformity of metadata for spatial data sets and services present in the EU geoportal corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC with the implementing rules referred to in Article 5(4) of that Directive:
 - (a) a general indicator (MDi2) which measures the conformity of metadata for the spatial data sets and services corresponding to the themes listed in Annexes I,

II and III to Directive 2007/2/EC with the implementing rules referred to in Article 5(4) of that Directive.

- (b) the following specific indicators:
- (i) MDi2.1 which measures the conformity of metadata for the spatial data sets corresponding to the themes listed in Annex I to Directive 2007/2/EC with the implementing rules referred to in Article 5(4) of that Directive;
 - (ii) MDi2.2 which measures the conformity of metadata for the spatial data sets corresponding to the themes listed in Annex II to Directive 2007/2/EC with the implementing rules referred to in Article 5(4) of that Directive;
 - (iii) MDi2.3 which measures the conformity of metadata for the spatial data sets corresponding to the themes listed in Annex III to Directive 2007/2/EC with the implementing rules referred to in Article 5(4) of that Directive;
 - (iv) MDi2.4 which measures the conformity of metadata for the spatial data services corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC with the implementing rules referred to in Article 5(4) of that Directive.

CHAPTER III

MONITORING OF THE IMPLEMENTATION OF THE REQUIREMENTS FOR INTEROPERABILITY OF SPATIAL DATA SETS

Article 5

Monitoring of the granularity of spatial data sets

1. Member States shall document the granularity of the spatial data sets by an additional metadata keyword. The value for this keyword shall originate from the "Nomenclature Of Territorial Units For Statistics (NUTS)" code list in the EU controlled vocabulary managed by the Commission.
2. The following indicators shall be used to measure the granularity of the spatial data sets corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC:
 - (a) a general indicator (DSi1) which measures the granularity of the spatial data sets corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC;
 - (b) the following specific indicators:
 - (i) DSi1.1 which measures the granularity of the spatial data sets corresponding to the themes listed in Annex I to Directive 2007/2/EC;

- (ii) DSi1.2 which measures the granularity of the spatial data sets corresponding to the themes listed in Annex II to Directive 2007/2/EC;
- (iii) DSi1.3 which measures the granularity of the spatial data sets corresponding to the themes listed in Annex III to Directive 2007/2/EC.

Article 6

Monitoring of the conformity of spatial data sets

1. The following indicators shall be used to measure the conformity of spatial data sets corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC with the implementing rules referred to in Article 7(1) of that Directive
 - (a) A general indicator (DSi2) which measures the conformity of the spatial data sets corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC with the implementing rules referred to in Article 7(1) of that Directive
 - (b) the following specific indicators:
 - (i) DSi2.1 which measures the conformity of the spatial data sets corresponding to the themes listed in Annex I to Directive 2007/2/EC with the implementing rules referred to in Article 7(1) of that Directive
 - (ii) DSi2.2 which measures the conformity of the spatial data sets corresponding to the themes listed in Annex II to Directive 2007/2/EC with the implementing rules referred to in Article 7(1) of that Directive;
 - (iii) DSi2.3 which measures the conformity of the spatial data sets corresponding to the themes listed in Annex III to Directive 2007/2/EC with the implementing rules referred to in Article 7(1) of that Directive.

Article 7

Monitoring of the number and availability of spatial data sets that support reporting under the environmental acquis and have been prioritised by the Commission

1. Member States shall identify and document spatial data sets that have been added to a priority list of spatial data sets made available by the Commission by an additional metadata keyword. The value for this keyword shall originate from the "Priority data set" code list in the EU controlled vocabulary managed by the Commission.
2. The following indicators shall be used to measure the existence of the spatial data sets corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC that have been added to a priority list of spatial data sets made available by the Commission.

- (a) a general indicator (DSi3) which measures the number of the prioritised spatial data sets corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC;
- (b) the following specific indicators:
 - (i) DSi3.1 which measures the number of the prioritised spatial data sets corresponding to the themes listed in Annex I to Directive 2007/2/EC;
 - (ii) DSi3.2 which measures the number of the prioritised spatial data sets corresponding to the themes listed in Annex II to Directive 2007/2/EC;
 - (iii) DSi3.3 which measures the number of the prioritised spatial data sets corresponding to the themes listed in Annex III to Directive 2007/2/EC.

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CHAPTER IV

MONITORING OF THE IMPLEMENTATION OF NETWORK SERVICES REQUIREMENTS

Article 8

Monitoring of the accessibility of spatial data sets through view and download services

1. Member States shall determine for each spatial data set whether a view service or a download service, or both, exist and shall document their existence and service type in the metadata for the spatial data set by using the "resource locator" metadata element.
2. The following indicators shall be used to measure the accessibility of spatial data sets corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC through the view and download services referred to in points (b) and (c) of Articles 11(1) of that Directive:
 - (a) a general indicator (NSi2), which measures the extent to which it is possible to view and download spatial data sets corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC through view and download services ;
 - (b) the following specific indicators:
 - (i) NSi2.1, which measures the accessibility of spatial data sets, corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC through view services;
 - (ii) NSi2.2, which measures the accessibility of spatial data sets corresponding to the themes listed in Annexes I, II and III to Directive 2007/2/EC through download services.

Article 9
Monitoring of the conformity of network services

1. The following indicators shall be used to measure the conformity of the network services referred to in Article 11(1) of Directive 2007/2/EC with the implementing rules referred to in Article 16 of that Directive:
 - (a) a general indicator (NSi4), which measures the conformity of all network services with the implementing rules referred to in Article 16 of Directive 2007/2/EC;
 - (b) the following specific indicators:
 - (i) NSi4.1, which measures the conformity of discovery services with the implementing rules referred to in Article 16 of Directive 2007/2/EC;
 - (ii) NSi4.2, which measures the conformity of view services with the implementing rules referred to in Article 16 of Directive 2007/2/EC;
 - (iii) NSi4.3, which measures the conformity of download services with the implementing rules referred to in Article 16 of Directive 2007/2/EC;
 - (iv) NSi4.4, which measures the conformity of transformation services with the implementing rules referred to in Article 16 of Directive 2007/2/EC;
 - (v) NSi4.5, which measures the conformity of invoke services with the implementing rules referred to in Article 16 of Directive 2007/2/EC.

Article 10
Information to be provided

1. The indicators shall be calculated based on the metadata of spatial data sets and spatial data services provided by Member States via discovery services to EU Geo-portal, as laid down in Article 5 of Directive 2007/2/EC and further detailed in COMMISSION REGULATION (EC) No 1205/2008 of 3 December 2008 implementing Directive 2007/2/EC of the European Parliament and of the Council as regards metadata and its amendments.
2. The results of monitoring referred to in Article 21(1) of Directive 2007/2/EC shall relate to monitoring conducted during a calendar year, and shall be published by 15 May of the following year. Thereafter the results shall be updated at least every year.

CHAPTER V

REPORTING

Article 11 *Updating reports*

Member States shall, where relevant, update the information published by the Commission (services) on the basis of previous tri-annual implementation reports in accordance with Article 21(3) of Directive 2007/2/EC, with a particular attention on: functioning and coordination of infrastructure, use of infrastructure to support EU environmental policies and policies affecting the environment, data sharing arrangements, and cost and benefit aspects. Updates to the reported information shall take place as soon as possible after changes have occurred. Member States shall review the reported information in accordance with the reporting frequency provisions made in Article 21(3) of Directive 2007/2/EC.

CHAPTER VI

FINAL PROVISIONS

Article 12 *Application*

This Decision shall apply from [...]

Article 13 *Addressees*

This Decision is addressed to Member States

Done at Brussels, [...]

For the Commission
Karmenu VELLA
Member of the Commission