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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 shortcomings concerning application of the Directive in Latvia, as explained in detail in the annex to this letter.

Before taking further steps on these, we would like to hold a pre-Pilot bilateral technical meeting with the national experts involved in the implementation of the Directive, in order to attempt solving the problem without launching further procedures. As part of this process, we would like to explore any technical challenges that may exist and, if necessary, identify possible financial support from EU funds.

Therefore, we would like to host such a meeting between your national experts and my services in the period between 15th September 2015 and 15th November 2015. I would appreciate confirmation and also your proposals for possible dates by the 1st September. 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: Overview and problems identified on bad application

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Annex – Overview and problems identified on bad application

The deadline for transposition of the INSPIRE Directive into national law expired on 15 May 2009.

The Directive aims to create a European Union spatial data infrastructure. This will enable the sharing of environmental spatial information among public authorities and better facilitate public access to spatial information across Europe.

There is a great potential of INSPIRE for delivering government services efficiently. There is also strong interest from the private sector to have better access to government-held spatial information. Furthermore, INSPIRE is closely linked to the Digital Single Market, a priority of the new Commission. All of this puts a spotlight on what remains unachieved.

At EU level, progressive steps are taken to complete the INSPIRE infrastructure that include the adoption of common implementing rules (Commission decisions or regulations) on metadata, data specifications, network services, data and service sharing as well as monitoring and reporting.¹

INSPIRE implementing rules will still be entering into force until 2021.² The following are the main deadlines (already expired or will be expiring in 2015) for implementing the INSPIRE Directive:

- 3 December 2010: Annex I-II metadata to be published, and by 3 December 2013 Annex III metadata to be published,
- 9 November 2011, discovery and view services in place for those spatial data sets and services for which metadata have been created and by 3 December 2013 for Annex III.
- 28 December 2012 for Annex I-II and 3 December 2013 for Annex III, services in place for download and (where applicable) transformation for those spatial data sets and services for which metadata have been created.
- 21 October 2015, newly created or extensively restructured Annex II and III data organised according to INSPIRE data specifications.

As regards the implementation of the Directive, it is the general objective of the Commission to focus on two priorities, namely non-transposition/non-conformity of legislation and major bad application issues in Member States based on the European Commission's Communication on the implementation of EU environmental law³.

¹ Commission Regulation (EC) No 1205/2008 as regards metadata (3.12.2008); Commission Regulation (EU) No 1089/2010 as regards interoperability of spatial data sets and services (8.12.2010); Commission Regulation (EU) No 976/2009 as regards the network services (19.10.2009); Commission Regulation (EU) No 268/2010 of 29 March 2010 on INSPIRE Data and Service Sharing (29.03.2010).

² By 21 October 2015, the Member States should have progressed towards reaching the interoperable spatial data objective by having newly created or extensively restructured Annex II and III data organised according to INSPIRE data specifications. By 23 November 2017, the Member States should have fully reached the interoperable spatial data objective by having the Annex I data organised according to INSPIRE data specifications. By 21 October 2020, MS should have fully reached the interoperable spatial data objective by having also the Annex I and III data organised according to INSPIRE data specifications.

³ Communication of the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on implementing European Community Environmental Law (COM/2008/0773 final).

Concerning the situations of bad application, based on the assessment of the findings of the studies⁴ and of the information from the INSPIRE geo-portal⁵, the Commission services have identified the following outstanding issues:

- 1) there are missing data themes and metadata under Annex I-III,
- 2) discovery services are not fully compliant with the requirements of the INSPIRE Directive,
- 3) non-compliant view and download services,
- 4) potential problems with the data-sharing between authorities.

Missing datasets include those relevant to the implementation of the EU environmental legislation other than the INSPIRE Directive, e.g. Directive 91/271/EEC concerning urban water treatment.⁶ The General Union Environment Action Programme to 2020⁷ states that in order to maximise the benefits of EU's environment law by improving implementation, the public should have access by 2020 to clear information showing how EU environmental law is being implemented, consistent with the Aarhus Convention, with aim of alleviating administrative burdens.

This requires in particular that systems at national level actively disseminate information about how environmental law is being implemented.⁸ These objectives also contribute to the recently adopted Communication on Better Regulation (COM(2015)215) of 19 May 2015 that specifically aims at improving implementation by a number of actions, in particular in relation to streamlining that looks not just at the content of the information flow at EU and national levels (eg. reporting requirements) but also at the frequency and timing of when information is submitted and the process for submitting it (including the use of e-reporting). This will not only result in lowered administrative burden for national administrations, but also help Member States to pass on the benefits to their businesses and citizens.

4 http://inspire.ec.europa.eu/reports/INSPIRE_Direct_Observations_2014.pdf

5 <http://inspire-geoportal.ec.europa.eu/discovery/>

6 OJ L 135, 30.5.1991, p. 40.

7 Decision No 1386/2013/EU of the European Parliament and the Council of 20 November 2013 on a General Union Environment Action Programme to 2020.

8 Paragraph 65; see also paragraph 73.