The EU’s Open Data policy in 2022

EuroGeographics Workshop on Sustainable Open Data Business Models for NMCAs
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European Council conclusions
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“The European Council stresses the importance of making rapid progress on other existing and future initiatives, particularly:

unlocking the value of data in Europe, notably through a comprehensive regulatory framework that is conducive to innovation and facilitates better data portability, fair access to data and ensures interoperability”

European Commission’s proposal for a European Declaration on Digital Rights and Principles for the Digital Decade (26 January 2022):

“We commit to ensuring wide accessibility and re-use of government information.”
**European Strategy for Data**

A common European data space, a single market for data

- Data can flow within the EU and across sectors – **FFD Regulation**
- European rules and values are fully respected – **GDPR**
- Availability of high quality data to create and innovate
- Rules for access and use of data are fair, practical and clear & clear data governance mechanisms are in place

*Benefitting from the second wave of industrial data*
Open Data Directive – basic facts

- Introduces a **minimal set of rules** to make more data from the public sector easier and cheaper to use for innovation.

- The Directive only applies to *data publicly accessible* under national access to information regimes.

- Application of the Directive must fully respect the Union and the national data protection rules.

- **Latest revision in 2019:** now entitled *‘Directive on Open Data and the re-use of public sector information’*

*Access rules are set by the MS. The PSI Directive regulates the re-use of already accessible information.*
Obligations on public sector data holders under the general regime

- be transparent on conditions for re-use;
- avoid any form of discrimination between re-users, including a re-use by the public sector body itself;
- deal with applications for re-use within a time limit;
- do not enter into exclusive arrangements other than in exceptional circumstances;
- Limit charges (free re-use by default; covering marginal cost of reproduction is possible; narrowly defined exceptions that allow full recovery of costs of data).
High-value datasets

An Implementing Regulation planned for 2022 will define the list of specific high-value data sets within the 6 thematic categories set out in Annex I among the documents to which the Directive applies.

Datasets listed in the implementing act to be made available
- for free,
- in machine-readable formats,
- via APIs
- as bulk downloads (where relevant).

In case of a substantial impact on the budget of the public bodies involved, free availability can be delayed by up to 2 years.
<table>
<thead>
<tr>
<th>Datasets</th>
<th>Administrative units</th>
<th>Geographical Names</th>
<th>Addresses</th>
<th>Buildings</th>
<th>Cadastral parcels</th>
<th>Agricultural parcels and livestock</th>
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<tbody>
<tr>
<td>Granularity</td>
<td>All generalisation levels available up to the level of scale 1:5000. From municipalities to countries; sea-frontiers.</td>
<td>N/A</td>
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<td>Equivalent to 1:5000 as referred to in Article 70(1) of the Regulation (EU) 1306/2013</td>
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<td>Geographical coverage</td>
<td>National or partial (i.e. covering the entire country when combined).</td>
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<td>National (if regional design is applied, the addition of regions should cover the entire country).</td>
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<td>Key attributes</td>
<td>Unique identifier; Geometry; Latitude and longitude; Boundary; National identification code; identification code of the upper administrative level; official name; country code; name in multiple languages (only for countries with more than one official language).</td>
<td>Unique identifier; Geometry; Name; name in multiple languages (only for countries with more than one official language); category; latitude and longitude (as per INSPIRE specifications)</td>
<td>Unique identifier; Geometry; Latitude and longitude; address locator (e.g. house number); thoroughfare (street); name; administrative units (e.g. municipality; province, country; postal descriptor (e.g. post code); date of last update.</td>
<td>Unique identifier; Geometry/Footprint of the building; floors; type of use.</td>
<td>Unique identifier; Geometry (boundary) of cadastral parcels; type of parcel; parcel code; references to the administrative area to which the parcel belongs.</td>
<td>Reference parcels as defined by Commission Delegated Regulation (EU) 640/2014; Agricultural area (‘land cover’) as referred to in article 4(1)(e) of Regulation (EU) No 1307/2013; Agricultural parcels (‘land use’) as referred to in Article 67(4)(a) of Regulation (EU) 1306/2013 and Article 5(2) of Commission Delegated Regulation (EU) 640/2014; Geometry and land use of agricultural parcels as referred to in Article 14(d) of Commission Delegated Regulation (EU) 809/2014; crop groups associated as referred to in Article 17 of Commission Delegated Regulation (EU) 640/2014; Landscape features and trees as referred to in Article 9(1) of Commission delegated Regulation (EU) 640/2014; Type of animals and number of each type of animals (Article 21c of Commission Delegated Regulation (EU) 809/2014</td>
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## Datasets

**Earth observation data sets (INSPIRE themes)**

<table>
<thead>
<tr>
<th>Hydrography (I)</th>
<th>Air quality: Directive 2008/50/EC</th>
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<tbody>
<tr>
<td>Sea Regions (III)</td>
<td>Hydraulic fracturing: Recommendation 2014/70/EU</td>
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<tr>
<td>Protected sites (I)</td>
<td></td>
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<tr>
<td>Bio-geographical regions (III)</td>
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<tr>
<td>Environmental monitoring facilities (III)</td>
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<td>Habitats/Biotopes (III)</td>
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<td>Natural Hazards (III)</td>
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<td>Soil (III)</td>
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<tr>
<td>Species distribution (III)</td>
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Progress so far and next steps


- Work towards the definition of the List of HVDs in an Implementing Regulation
  - Impact assessment – finalised and successfully passing through the RSB – December 2020
  - Inter-service consultation – under preparation
  - Online public consultation – will follow the ISC
  - Open Data Committee (comitology: for the Implementing Regulation)
  - Proposal of the list of HVDs to be submitted to the Open Data Committee in H1 2022
Beyond legislation - Common European Data Spaces
DEP: Artificial intelligence, data and cloud

Data spaces
- Green Deal
- Manufacturing
- Health
- Agriculture
- Mobility
- Security (law enforcement)
- Cultural Heritage
- Media

Horizontal actions in support to data spaces
- support centre
- open data portal
- high value data sets

Cloud federation
- Market place
- Cloud to Edge based services
- Middleware platforms, building blocks, cross cutting software…

AI on demand platform
- Central access point to AI resources

Testing & Experimentation Facilities
- Manufacturing
- Health
- Agriculture
- Smart Communities
- Edge AI HW
Digital Europe Programme call 2 to launch soon: Public Sector Open Data for AI

- Grants will support increasing semantic, technical and legal interoperability and data portability of the free high-value datasets;

- Targeted stakeholders: Public Administrations addressed by the Open Data Directive as data providers;

- Simple grants: 50% funding rate.

- Indicative budget: EUR 20 million, for 24-36 months
Where to find the relevant information?

- Funding & Tenders (europa.eu): all calls under Digital Europe Programme (DIGITAL) or direct search with keywords
  - Topic conditions and documents, including
    - Evaluation and award criteria
    - Call documents, proposal template, annotated model grant agreement
  - Partner search
  - Electronic submission
  - Help and support
- Digital Europe Programme Work Programmes - DIGITAL | Shaping Europe’s digital future (europa.eu)

Do not leave your submission until the last minute!
Other Data-related legislation
The Data Governance Act: some intervention areas will concern public sector data

- Re-use of public sector information that cannot be made accessible as Open Data (personal data, commercially confidential information) → public data «intermediaries» anonymise data on-demand or have secure processing environments for controlled data processing (cf. ONS microdata access)

- Voluntary label for data altruism organisations («data donation»)

- European Data Innovation Board to coordinate better standardisation across sectors
Other Data-related legislation
Data Act (upcoming): areas covered

- Business-to-Business (B2B) data sharing
- Business-to-Consumer (B2C) data sharing
- Business-to-Government (B2G) data sharing
- Cloud switchability
- Data interoperability and better cross-sectoral standardisation
- Review of *sui generis* right under the Database Directive
Thank you very much for your attention

For further questions:

email: CNECT-G1@ec.europa.eu
    Unit G1 of DG CONNECT

Websites with more information: