The EU's Open Data policy in 2022

EuroGeographics Workshop on Sustainable Open Data Business Models for NMCAs
2 February 2022

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European Council conclusions 21 October 2021

"The European Council stresses the importance of making rapid progress other existing and future initiatives, particular:

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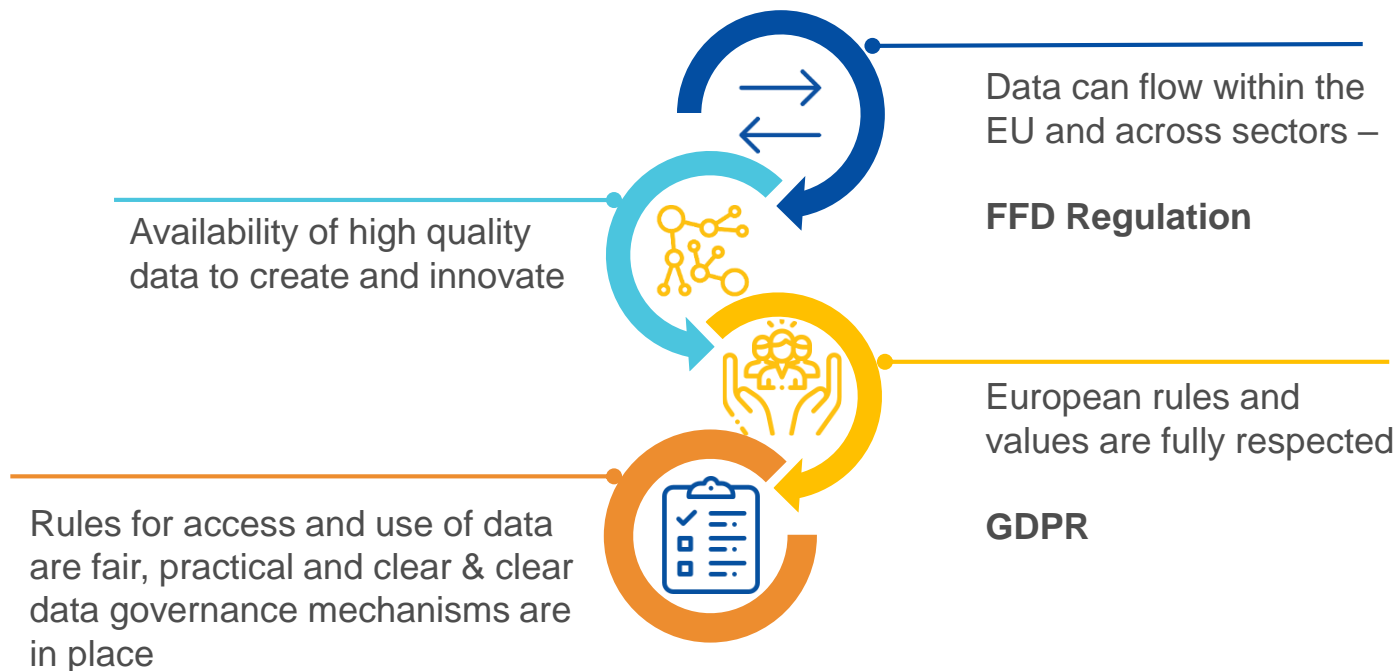
European Commission's proposal for a European Declaration on Digital Rights and Principles for the Digital Decade (26 January 2022):

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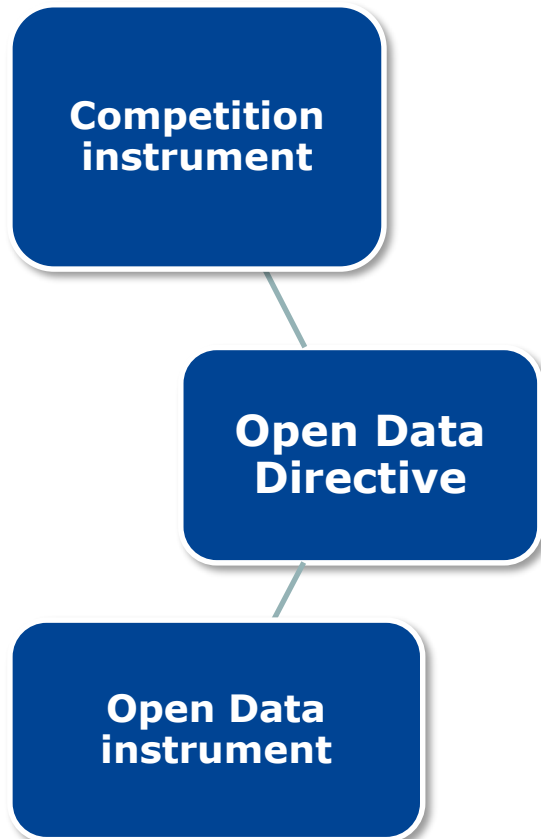
European Strategy for Data

A common European data space, a single market for data

Data can flow within the EU and across sectors –

FFD Regulation

Availability of high quality data to create and innovate

European rules and values are fully respected

GDPR

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

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Open Data Directive – basic facts

Competition instrument

Open Data Directive

Open Data instrument

- Introduces a <u>minimal set of rules</u> 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 '**<u>Directive on Open Data and the re-use of public sector information</u>**'

*Access rules are set by the MS. The PSI Directive regulates the re-use of already accessible information

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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

Geospatial

Earth observation and environment

Meteorological

Statistics

Companies and company ownership

Mobility

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

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Geospatial – draft Implementing Regulation

Datasets	Administrative units	Geographical Names	Addresses	Buildings	Cadastral parcels	Agricultural parcels and livestock
Granularity	All generalisation levels available up to the level of scale 1:5000. From municipalities to countries; sea-frontiers.	N/A	N/A	All generalisation levels available up to the level of scale 1:5000.	All generalisation levels available up to the level of scale 1:5000.	Equivalent to 1:5000 as referred to in Article 70(1) of the Regulation (EU) 1306/2013
Geographical coverage	National or partial (i.e. covering the entire country when combined).	National or partial (i.e. covering the entire country when combined).	National or partial (i.e. covering the entire country when combined).	National or partial (i.e. covering the entire country when combined).	National or partial (i.e. covering the entire country when combined).	National (if regional design is applied, the addition of regions should cover the entire country).
Key attributes	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).	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)	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.	Unique identifier; Geometry/Footprint of the building; floors; type of use.	Unique identifier; Geometry (boundary) of cadastral parcels; type of parcel; parcel code; references to the administrative area to which the parcel belongs.	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

Earth observation and environment - draft Implementing Regulation

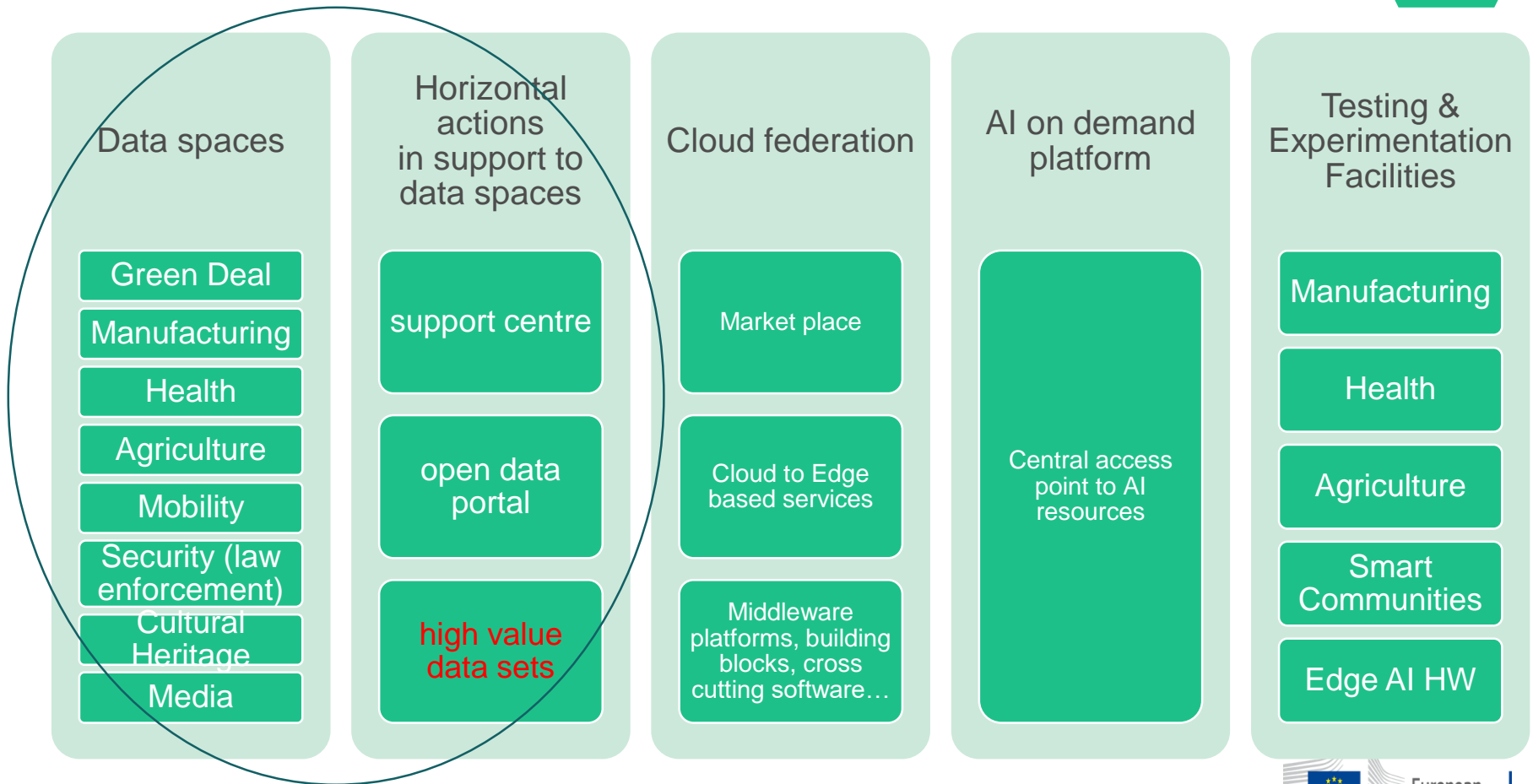| Datasets	
Earth observation data sets (INSPIRE themes**)**	**Environmental data sets: e-reporting priority data**
Hydrography (I)	Air quality: Directive 2008/50/EC
Land cover (II), land use (III)	Emissions: Directive 2010/75/EU, Directive 2012/18/EU, Directive 91/676/EEC, Regulation (EC) 166/2006, Regulation (EU) 2017/852
Elevation (II)	Nature preservation and biodiversity: Directive 2009/147/EC, Directive 92/43/EEC, Regulation (EU) 1143/2014, Nationally designated areas – CDDA, National biogeographical regions
Geology (II)	Noise: Directive 2002/49/EC
Ortho-imagery (II)	Waste: Directive 1999/31/EC, Directive 2006/21/EC, Directive 86/278/EEC, Directive 91/271/EEC
Oceanography (III)	Water: Directive 91/271/EEC, Directive 2006/7/EC, Directive 2000/60/EC and Directive 98/83/EC, Directive 2007/60/EC, Directive 2008/56/EC
Sea Regions (III)	Hydraulic fracturing: Recommendation 2014/70/EU
Protected sites (I)	
Bio-geographical regions (III)	
Environmental monitoring facilities (III)	
Habitats/Biotopes (III)	
Natural Hazards (III)	
Soil (III)	
Species distribution (III)	

Progress so far and next steps

➤ The Open Data Directive (EU) 2019/1024 – transposition deadline expired on 17 July 2021. Nineteen infringement proceedings launched in September 2021.

➤ 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

Green Deal

Smart communities

Agriculture

Mobility

Health

Skills

Manufacturing

Public Administrations

Financial

Tourism

Language

Cultural Heritage

Media

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DEP: Artificial intelligence, data and cloud

Data spaces	Horizontal actions in support to data spaces	Cloud federation	AI on demand platform	Testing & Experimentation Facilities
Green Deal	support centre	Market place	Central access point to AI resources	Manufacturing
Manufacturing				Health
Health	open data portal	Cloud to Edge based services		Agriculture
Agriculture				Smart Communities
Mobility	high value data sets	Middleware platforms, building blocks, cross cutting software…		Edge AI HW
Security (law enforcement)				
Cultural Heritage				
Media				

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 ⟶ Do not leave your submission until the last minute **!**
  - Help and support
- Digital Europe Programme [Work Programmes - DIGITAL | Shaping Europe's digital future (europa.eu)](#)

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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

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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

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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:
https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=celex:32019L1024
https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age/european-data-strategy_en
https://ec.europa.eu/digital-single-market/en/open-data