

“Commission proposal on Implementing Regulation laying down a list of specific high-value datasets (HVD) and the arrangements for their publication and re-use”

EuroGeographics’ Feedback

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Key points:

- EuroGeographics members' data have potential to generate socio-economic benefits and are a significant enabler of cross-border data applications and services as recognised in this Regulation proposal.
- EuroGeographics members welcome the effort to harmonise the arrangements for publishing and reusing high-value datasets, taking into account the protection of individuals concerning the processing of personal data.
- EuroGeographics members acknowledge that the value of data lies in its use and re-use, aware that this Implementing Regulation will increase the availability of its data in the single market. But it must be ensured that previous investments—particularly those based on the INSPIRE directive—are considered and valued.
- To achieve operative implementation, overall coherence and long-term sustainability, many obstacles in the technical, financial, and coordination fields must be overcome. As key contributors to the European data policy, National Mapping, Cadastral and Land Registration Authorities must receive adequate support.

About EuroGeographics

EuroGeographics is an independent, international, not-for-profit organisation representing Europe’s National Mapping, Cadastral and Land Registration Authorities (NMCAs). Our strength lies in our extensive membership. We believe in a modern, digital and green society empowered by the use of trusted geospatial and other data from these official national sources, many of which are defined as high-value datasets.

EuroGeographics has first-hand experience in supporting the implementation by its members of the Open Data and Public Sector Information Directive. The recently developed “Open Maps for Europe” project connects the user with official national geospatial data sources and provides easy access to free-to-use harmonised maps for Europe from more than 40 countries. To date, 75% of EuroGeographics data providers (members) have agreed to make their datasets open under the harmonised conditions and so deliver the benefits of the Open Data and Public Sector Information Directive. This project is an operational example of how EuroGeographics members are implementing the Regulation based on this Directive. At the same time, the project mitigates the risk of fragmented implementation, which was specifically recognised as a key obstacle to the functioning of the single market for data.

About High Value Datasets Regulation

EuroGeographics *welcomes the proposal* wherein data produced and disseminated by NMCAs are recognised as a significant enabler of national and cross-border data applications and services, not only in the geospatial thematic category, but also in earth observation, environment, and mobility. NMCAs’ data are also largely embodied in all other data categories in the HVD list while understanding their roles.

EuroGeographics members acknowledge that the value of data lies in its use and re-use, therefore they are *keen to effectively implement this Regulation and increase the availability of their data* in the single market. Some of our members already have listed datasets as open data, some of which are already available via APIs, some using FAIR principles; some are available at their national portal, through national SDI or INSPIRE services. Our members’ informed opinion is that meeting the Regulation requirements is a substantial challenge, as the Regulation is not “just about” opening the data. In fact, success is not possible without technical, financial and/or organisational support. Our members wish to underline that the goal could be achieved only as a *joint vision and action* of policymakers, data holders (NMCAs), and data users (so-called “heavy users”).

Using the occasion of this public consultation, we wish to *reiterate our members’ key concerns*, which are valid for the provision of HVDs and are also applicable more generally when it comes to the need to establish a long-term strategy for the provision of (geo)data.

In essence, three levels of concern can be identified: technical, financial, and organisational.

Technical aspects to be clarified

Many technical specifications need further clarification to provide more certainty and clarity. Poor description could lead to NMCAs across Europe having divergent interpretations of the minimum data within scope.

The Regulation must be coherent with the INSPIRE Directive or additional and unambiguous requirements will be imposed on the responsible authorities.

Our members want to emphasise the necessity for this Regulation to provide sufficient technical flexibility so that they are not required to establish unnecessary, additional solutions when they already have technical solutions to make the data available according to current industry standards.

It cannot be stressed enough that more specified technical requirements for APIs will be needed, as our members are reporting that there are still substantial uncertainties on the topic.

More flexibility in the data scale provision would be equally welcomed.

The Directive does refer to the issue of market distortion, but this should be further clarified. Assurance should be given to Public Sector bodies that they can, for instance, go beyond requirements without fear of repercussions. Indeed, in some cases, our members are willing to make better-quality datasets available and do not see a rationale for creating a lower-quality dataset at a further cost.

Sustainable funding

Sustainability remains an issue that must be addressed in the short and long term. The Regulation is more than just opening the data. It requires investment in APIs as well as outreach and education. Being of high value means being of high liability, high capacity, and long-term maintenance capability.

Not all NMCAs are ready to open up HVD because some do not have sophisticated APIs requiring substantial investment. While datasets will be available as open data, some users need high availability services. It is not clear from the Directive nor this Regulation whether it will be possible to charge for high-availability services.

Furthermore, all NMCAs do not have free data but rely on the sale of data and derived products to finance data capture and update their HVD. The Regulation is not clear about how this lack of funding may be compensated.

Our members are taking due note that a funding proposal to create harmonised pan-European data has been published recently, but they want to underline that a one-time-shot project does not allow for long-term planning, and that they would like a simpler application process.

Coordination mechanism/reporting mechanisms

EuroGeographics members wish to stress the importance of a coordination mechanism that goes beyond usual reporting mechanisms. It is important to understand how and which datasets have been made available—usual reporting mechanisms—as well as to understand the difficulties and good practices there. Our members hope that such a mechanism will help to achieve the creation of a single market for data in the long term.

Indeed, our members' extensive experience in the provision of data demonstrates that that data will not be useful if not used together and that the full power of geodata cannot be achieved if the data is not made interoperable. To that end, a more operational coordination body, other than existing formal groups is needed for data, as there are many data-related initiatives all through the EU legislative agenda.

Coordination with and feedback from users is very important. With open data, you lose contact with your customers and there is no feedback on how data can be improved. Open data should still make room for these necessary mechanisms

The problem might arise with bulk download for data made by public decisions ending in many databases with different content claiming to be “original”.

Final remarks

Our members are among the most experienced and relevant interested parties in the proposed Regulation. As such, we think it is our role to inform the legislator that we see the benefits of the proposed Regulation and support the overall envisaged goals and mechanisms, but that we still have some concerns.

We think that the devil is in the details, and to reach the effective implementation of the Regulation, several technical clarifications must be made in the short term, notably when it comes to coherence with INSPIRE Directive. We are confident that dialogue with the legislator will help solve these issues.

We also believe that the already substantial efforts required by our members need to be understood and acknowledged, thus avoiding duplication of efforts. We can only encourage the Commission to conduct an ex-post impact assessment of the Regulation: impact on policies, and the main stakeholders of the text. As well as financial concerns, it is also a matter of being able to design, together with the European legislator, a coherent data system where the potential of geodata is fully reached.

Our members' data serve as a basis for countless policies at national and European levels. We want to make sure that we can continue to serve, in the long term, data policies for the European greater good.

We are looking forward to an opportunity to continue our cooperation.

Your sincerely,

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