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ADDENDUM TO "I/A" ITEM NOTE

from: General Secretariat of the Council
to: COREPER/COUNCIL
No. Cion prop.: 11781/04 ENV 433 STATIS 55 RECH 156 CODEC 948

Subject: Proposal for a Directive of the European Parliament and of the Council establishing an infrastructure for spatial information in the Community (INSPIRE) [first reading]

– Adoption (cp + s)
  (a) of the common position
  (b) of the statement of the Council's reasons
– Statements

1. **Statement by the Commission on the common position adopted by the Council**

The Commission notes that the common position has been adopted unanimously by the Council. The Commission nevertheless cannot support the common position as it falls well short of the overall level of ambition that is essential for this proposal.

The text of the common position leaves too much scope for data providers to refuse to give public access to their data and share it with other authorities. Other concerns are the over-burdensome procedures for adopting rules under comitology and insufficient guarantee that these rules will be fully implemented in the Member States.
2. **Statement by the Commission in relation to the application of INSPIRE to data held by Community Institutions and bodies**

   The Commission fully agrees that the INSPIRE infrastructure should cover spatial data sets and services at Community level, in order to ensure coherence between the infrastructure for spatial information established in the Member States and relevant information at Community level. The Commission will make every effort to ensure this and will, if appropriate, come forward with a legislative proposal regulating the establishment of the components of INSPIRE within the relevant Community institutions and bodies.

3. **Joint statement by the Czech Republic, Spain and Portugal**

   The Czech Republic, Spain and Portugal welcome the proposed Directive creating a legal framework for the establishment and operation of an Infrastructure for Spatial Information in Europe (INSPIRE).

   We would have preferred to have a more ambitious Directive namely as regards Articles 13, 14 and 17. These Articles, in our view, do not reflect the best legislative option for ensuring either an adequate sharing of spatial data sets and services between public authorities or a satisfactory level of public participation.

   However, we recognise that a good environment policy depends on high-quality information and informed public participation, and INSPIRE is a fundamental tool in that respect. Therefore, the Czech Republic, Spain and Portugal will not object to the adoption of the common position pending the forthcoming negotiations with the European Parliament.
4. **Statement by Belgium**

Belgium considers it essential to create a data-sharing system that is consistent and compatible as between Member States and that the adoption of this Directive is an important step in that direction.

It feels, however, that at this stage the text lacks ambition and that it can still be improved and made more detailed at the second reading.

Like the European Parliament in one of its amendments, Belgium wants the European institutions to be truly involved, on the same basis as the States. That concern ought to be met without delay, at the same time as the entry into force of the Directive in the Member States, so as to guarantee a single European system.