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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. Cion doc.:	15050/23 + COR 1 - COM(2023) 584 final
Subject:	Proposal for a Decision of the European Parliament and of the Council amending Directive 2007/2/EC as regards certain reporting requirements for infrastructures for spatial information <ul style="list-style-type: none">– Mandate for negotiations with the European Parliament– Confirmation of the final compromise text with a view to agreement

I. CONTENT AND CONTEXT OF THE PROPOSAL

1. On 6 November 2023, the Commission submitted the above-mentioned proposal for a decision of the European Parliament and of the Council. This proposal forms part of the commitment of the Commission to rationalise and simplify reporting requirements, with the aim to reduce such burdens by 25%, without undermining the related policy objectives. The Commission has stated this aim in its Communication on ‘Long-term competitiveness of the EU: looking beyond 2030’¹.
2. The legal basis of the draft decision is Article 192(1) of the Treaty on the Functioning of the European Union.

¹ Doc. 7604/23 -COM (2023)168

3. Instead of an annual reporting cycle for infrastructures for spatial information, the proposal for a decision introduces a biennial reporting cycle on requirements. This reporting frequency is aligned with the frequency of reporting under Commission Implementing Regulation (EU) 2023/138 on High Value Datasets, that to a large extent has an overlapping data scope with Directive 2007/2/EC.

II. EXAMINATION AT WORKING PARTY LEVEL

4. On 30 January 2024, the Working Party on the Environment examined the proposal under the Belgian Presidency. On that basis, the Presidency submitted a compromise text introducing minor technical changes compared to the proposal of the Commission and launched a written consultation on this text. However, after the launch of this written consultation, a technical error was discovered in the Commission proposal which had been kept in the Presidency compromise text. In order to correct this error the Presidency prepared a revised compromise text and launched a written consultation on this revised text. As this consultation was not broken, the Working Party on the Environment reached agreement on the revised compromise text in the Annex.²

III. EXAMINATION BY THE EUROPEAN PARLIAMENT

5. On 14 February 2024, the ENVI Committee of the European Parliament voted amendments to the Commission proposal which result in a text identical to the revised compromise text agreed in the Working Party on the Environment.

IV. CONCLUSION

6. In view of the above, the Permanent Representatives Committee is invited to:
- agree on the compromise text in Annex to this note, subject to revision by the lawyer-linguists of both institutions;

² Changes to the Commission proposal (doc. 15050/23 + COR 1) are marked in ***bold / italics*** and deletions by ~~strikethrough~~.

- confirm that, should the European Parliament adopt the amended Commission proposal as it appears in the Annex and subject to revision by the lawyer-linguists of both institutions the Council will approve the Commission proposal as amended by the European Parliament, resulting in the adoption of the decision;
 - authorise the Presidency to send a letter to the Chair of the ENVI Committee to that effect.
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2023/0356 (COD)

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**amending Directive 2007/2/EC as regards certain reporting requirements for infrastructures
for spatial information**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular
Article 192(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Reporting requirements play a key role in ensuring proper monitoring and correct enforcement of legislation. However, it is important to streamline those requirements to ensure that they fulfil the purpose for which they were intended and to limit the administrative burden.

¹ OJ C , , p. .

² OJ C , , p. .

- (2) It is necessary to align the frequency and timing of reporting obligations on the implementation and use of Member States' infrastructures for spatial information with more recent horizontal digital data legislation as to reduce the administrative burden.
- (3) Directive 2007/2/EC of the European Parliament and of the Council³ lays down general rules aimed at the establishment of the Infrastructure for Spatial Information, for the purposes of Union environmental policies and policies or activities which may have an impact on the environment. Article 21(2) of that Directive requires Members State to update, if necessary, and publish a report including, among other things, a summary description of the costs and benefits of implementing that Directive by 31 March of each year.
- (4) Taking into account the results of the Commission report⁴ on Actions to Streamline Environmental Reporting and the accompanying Fitness Check of Reporting and Monitoring of Union Environment Policy, Directive 2007/2/EC was amended by Regulation (EU) 2019/1010 of the European Parliament and of the Council⁵ to reduce the scope of reporting to the governance for its implementation and the reuse of public spatial data. The evaluation of Directive 2007/2/EC concluded by the Commission in 2022 found that there is scope to make it technically more efficient by means of further administrative burden reduction.
- (5) In order to reduce administrative burdens, it is appropriate to lower the frequency of reporting under Directive 2007/2/EC to once every two years.
- (6) Directive 2007/2/EC should therefore be amended accordingly.

³ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

⁴ COM/2017/0312 final, Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee and the Committee of the Regions Actions to Streamline Environmental Reporting

⁵ Regulation (EU) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations (EC) No 166/2006 and (EU) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations (EC) No 338/97 and (EC) No 2173/2005, and Council Directive 86/278/EEC (OJ L 170, 25.6.2019, p. 115).

- (7) Since the amendment to be made to Directive 2007/2/EC concerns the provision of information to the Commission by Member States, it does not need to be transposed. In this particular situation, it is therefore appropriate to use a decision for such amendment.

HAVE ADOPTED THIS DECISION:

Article 1

• **Amendment to Directive 2007/2/EC**

In Article 21(2) of Directive 2007/2/EC, the ***two introductory sentences*** ~~first sentence is~~ **are** replaced by the following:

‘No later than 31 March every two years, starting from 31 March 2025, Member States shall update, if necessary, a summary report. Those reports, which shall be made public by the Commission services, shall include summary descriptions of:’.

Article 2

Entry into Force

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

~~*Article 3*~~

Addressees

~~This Decision is addressed to the Member States.~~

Done at Brussels,

For the European Parliament
The President

For the Council
The President