

## **The Comitology procedure and SDI development**

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**PhD course: Paradigms for Development of Spatial Data  
Infrastructures,  
September 24. - 26. 2007, at Centre for eGovernment,  
Aalborg University, Denmark**

### **Monday and Tuesday**

The SDI research domain was presented, structured by two approaches

Levels of social analysis (O. Williamson, 2000):

- A. the constitutional setting
- B. the role of actors and policy networks in change of rules
- C. the routine processes

SDI as a socio-technical system (Next Generation Infrastructure, NL)

- Technical elements
- Actors
- Social elements

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### **Today: Illustrate the relevance of the level structuring**

INSPIRE (INfrastructure for SPatial InfoRmation in Europe) aims at change routine processes, level C

The implementation of INSPIRE may be analyzed at level B

Notable is, that the constitutional setting (level A) now includes European bodies.

The constitutional setting:

- The national Parliaments (with committees)
- The European Commission, with advisory committees
- The Council [minister meeting] of the European Union
- The European Parliament (with committees)

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### **The European Commission**

enjoys a substantial degree of independence in exercising its powers.

Its job is to uphold the common interest, which means that it must not take instructions from any national EU government. .. it has to ensure that .. directives .. are being implemented in the member states. ... It has wide powers to manage the EU's common policies. .. The Commission is assisted by a civil service made up of 36 [directorates-general](#) (DGs) and services, ..

Directives may establish Commission committees, which are forums for discussion. They are made up of representatives from EU member states and are chaired by the Commission. They ensure that the Commission is able to establish a dialogue with national administrations before

implementing measures. The Commission ensures that they reflect, as far as possible, the situation in each country in question.

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### **Comity [ˈmiti] sb. høflighed;**

- *comity of nations* venskabelig forståelse mellem nationerne.

Comitology: is the study of comity: the informal and voluntary recognition by courts of one jurisdiction of the laws and judicial decisions of another. The term was introduced with the [Council of the European Union](#) decision from [June 28, 1999](#). on procedures for the exercise of implementing powers conferred on the Commission (1999/468/EC ; OJ L 184/23 of 17.7.1999) ("the Comitology Decision").

For commenting on the implementation of INSPIRE directive, an INSPIRE committee was established and had 1st meeting 26. June 2007. From the minutes:

“The chairman .. reminded .. the formal role of the committee: to express an opinion to INSPIRE implementing rules submitted to the committee by the Commission.”

Et organ, nogenlunde som en lovforberedende kommission, men etableret *efter* at loven er vedtaget. Modsat et (klage)nævn, der typisk behandler enkeltsager.

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### **Demokratisk rolle**

“Some delegations asked to extend the deadline of 14 calendar days set in article 3(1) for the Commission to send an invitation and provide the committee with the agenda, working papers and draft measures for which the committee is asked to give an opinion.”

“Several delegations required clarifications on the interpretation of Article 14, in particular a clear interpretation of the requirement set at Article 14(2), "The committee's discussions shall be kept confidential". The Commission specified that the provisions set at Article 14(2) on confidentiality mainly refer to the opinion of individual delegations, ..”

A Workprogramme for the period 2007-2009 (transposition phase) was recently defined and made public. ..The Workprogramme includes the definition of the Implementing Rules development cycle, addressing drafting and testing activities, consultations of stakeholders and the general public, as well as the formal Commission Interservice consultation and the adoption process through comitology.

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### **Summary**

- The course motivated by interest in addressing the social aspect of technological development.
  - An operational set of concepts was proposed:
    - Levels of social analysis, transactions, .. NIE
    - Actor, Policy network, ..
    - Actors, technical elements, social elements
  - Today, a relatively new kind of actor, Commission committees, was related to the proposed concept set and commented upon
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## Referencer

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## An attempt at summarizing

The various lectures, taken together, provided new information. We could observe:

- A multi-disciplinary study (geodetic surveying), establishing contact with established disciplines.
- Two or three approaches/ theoretical bases were presented during the course:
  - Communication theory based (mapping and surveying includes cartography, reflecting how facts are expressed)
  - Management of technology based where, however, a stable and refined body of knowledge seems difficult to maintain, due to constant technology development
  - Economics, in terms of Agent-based simulations and New Institutional Economics.
- Like at similar European departments, the adoption of theory is in an initial phase. Useful outcome of research in practice and in teaching is yet mostly a potential. The Nordic comparative description of real property business processes may be an exception.
- The assumed potential of new applications of technology promotes changes at a pace that most researchers have to devote notable resources for keeping track of events and adopting new techniques.

Based on the above, a suggestion for further research could be:

- Emphasize the description of facts of real world Denmark, rather than exploring new theoretical strands.
- Use whatever theoretical basis for structuring the descriptions, but make explicit the theoretical underpinning, and strive for making descriptions complete and consistent.