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**ECONOMIC COMMISSION FOR AFRICA**

Enabling Legal Framework for Geoinformation Utilization in Africa  
Expert Group Meeting

Addis Ababa, Ethiopia  
**11-13 December 2012**

**Experts Group Meeting**

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**Enabling Legal Framework for Geoinformation Utilization in Africa**

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**Report – Draft.02 (14 January 2013)**

## **Context and Justification**

1. An important objective for the United Nations Economic Commission for Africa (UNECA) is to support Member States to harmonize national policies in various sectors, as support to integration efforts. In the past years, ECA has continued to put in place policies, resources and structures to make geo-enabled information and communication technologies easily accessible and used by decision makers and the community in a coordinated way.
2. While there are many benefits for sharing and exchanging geographic information, and making it available and easily accessible to decision makers and users, dedicated efforts are required to create the environment for this to happen. It requires the development of a specific plan of action, elaborating specific mandates and responsibilities for the data producers or custodians, interoperability standards to ensure that the various datasets can be integrated seamlessly, data access rights and/or restrictions of users, technical components to make it work, legal and regulatory frameworks to enforce the standards, rights and responsibilities, funding resources, partnerships, capacity development and a dedicated governance arrangement to implement and maintain the plan. The precursor to such a plan is agreement (and preferably formal adoption) of a set of policies and an implementation strategy based on recommended 'good practice' in the collection, management and use of geospatial data.
3. The Commission believes that setting up an enabling legal and regulatory environment will foster adoption of appropriate mechanisms for the cooperative production, management, dissemination and use of geoinformation resources at transnational (ARSDI) and national levels (NSDI) in the continent.

## **Objectives, Format and Outcome of the Meeting**

4. The expert group meeting was organized with the aim to prepare a guideline on enabling legal and regulatory frameworks for geoinformation utilization in Africa. The experts' group meeting discussed and assessed experiences, impacts and outlooks on governance, legal and regulatory frameworks existing in Africa and around the world.
5. The meeting had the expectation of discussing the overarching topic of enabling legal and regulatory frameworks and of recommending any action which may be required to guide member States efforts in achieving a better coordination mechanism for geospatial information management.
6. ECA prepared and presented a background document on the various dimensions of the subject (as outlined above). This document provided an assessment of i) critical aspects of creating an enabling legal framework for geospatial information management in Africa, ii) need for establishing legislative frameworks; iii) data access/sharing/re-use policies (national and international levels), licensing models, intellectual property rights (IPR), copyright, liability, security and privacy issues. It also identified the key stakeholders and outlined the proposed steps to develop a logical framework of identified priority actions (objectives, responsibilities/tasks, results, activities, chronology and related costs where applicable) etc.
7. Selected experts were invited to present brief perspectives on the subject based on current developments in their sector and/or country/region. The presentations were discussed and

reviewed for relevance, coherence and complementarities in relation to the African situation and international status.

## **Attendance**

8. The meeting was attended by a dozen selected experts from Australia, Belgium, Ethiopia, Norway, South Africa, United States, African regional institutions, ECA. The list of participants is Annex 1.

## **Opening**

9. The chair of the opening session, Mr. Makane Faye, Chief, e-Applications Section at ECA, welcomed all the participants to this important meeting. He said that the Division has done all their best to organize this meeting, accommodate all the requests for participation and thereby are allowing to many the opportunity to present, discuss and share experience and good practices.

10. The Director of the ICT Science and Technology Division (ISTD) at ECA, Ms. Aida Opoku-Mensah, opened the meeting. In her opening statement, she said that there is not yet such a formal geoinformation regulatory framework in the continent. Therefore, the Commission wishes to promote best practices in policies governing geospatial information management. "We want to draw from the various experiences around this table, some of the best practices that can ensure the delivery of a more joined up approach in providing geospatial information and services to government, business and citizens", she underscored.

11. She concluded by extending her gratitude to all the participants for making time in their busy schedules to attend the meeting.

## **Sessions Unfolding**

### **5.1. Session 1: Setting the Scene.**

12. The session started with the presentation of the background paper prepared by a Consultant, Mr. Kevin Pomfret.

13. The document highlighted that effective geospatial information management requires laws, regulations and policies that encourage the collection and sharing of geospatial information while still addressing important challenges. These challenges include:

- The issues cut across a variety of technology platforms and industries;
- A number of legal/policy disciplines impact geospatial information management;
- Geospatial information can be used for “good” and for “bad” purposes;
- Laws and policies relating to information vary greatly between countries; and
- Improvements in technology are outpacing the legal and regulatory communities.

14. There are three primary sets of stakeholders that must be considered in the development of a legal and regulatory framework to support geospatial information management: (i) government agencies; (ii) private industry; and, (iii) citizens. In addition, a number of

academic and scientific organizations and non-government organizations (NGO's) are also major collectors and consumers of geospatial information. Tensions exist between these stakeholder groups regarding how geoinformation is managed, i.e. government agencies being responsible mainly for collecting and using 'official' datasets, private industry developing their own datasets or adding value to government-held data, and citizens (who also operate the NGOs) becoming ever more involved in geoinformation collection and use due to the rapid rise of location-enabled mobile data and communication devices, leading to ever more crowdsourcing applications.

15. The primary issues that need to be addressed in order to facilitate the collection, use and sharing of geospatial data cut across legal and regulatory disciplines. Development of a legal and regulatory framework to support geospatial information management can be accomplished through a four-phase approach applied to individual African states.

- i. The goal of the initial phase is to (i) develop a baseline assessment of the existing legal and regulatory framework with respect to matters that impact geospatial information management and (ii) identify challenges that are unique to each country or region.
- ii. The second phase identifies gaps between the country's existing legal and regulatory environment with best practices around the world. In many countries it will also require understanding local and international trends related to e-government and cybersecurity to make sure there are appropriate linkages between the two, as well as ICT infrastructure and practices. [RAL: We need to better understand the underpinning ICT infrastructure in each country, especially in regard to internet connectivity, telecommunication capacity and take-up of mobile comms, etc.]
- iii. The third phase consists of a number of separate but related components, including:
  - (i) preparation of draft policies, laws and regulations, licensing and contract frameworks, and related agreements (e.g. on data sharing/re-use) to address the identified gaps based on a national assessment of what is achievable in specific states in regard to proposed 'good practice';
  - (ii) developing training materials on legal and regulatory matters for stakeholders and their legal and regulatory advisors , plus devise means to implement relevant training based on the materials, e.g. workshops, seminars, webinars, etc.; and
  - (iii) building a community of individuals within the stakeholders who are interested in or impacted by legal and regulatory matters.
- iv. The final phase is a continuous effort to assess improvements in geospatial information management based upon pre-established metrics and accepted assessment methodologies and to identify new legal and regulatory challenges over time.

## **5.2. Session 2: Best Practices in Enabling Legal Framework**

16. **Mr. Andre Nonguierma** made a presentation on ECA relevant activities in spatial data infrastructures development in Africa, both at regional level (ARSDI) and national level

(NSDI). Highlights of the activities include: i) NSDI Development and linkage with NICI Policies with advisory services to member States; ii) Mapping Africa for Africa (MAfA) initiative; iii) African Geodetic Reference Frame (AFREF) programme; iv) other numerous initiatives related to standards and interoperability, fundamental and core geospatial datasets creation, online delivery of services, capacity building, etc.

17. **Mr. Joep Crompvoets** delivered a presentation on INSPIRE underscoring the success/failures, trends, best practices, lessons learnt, impact and future steps of this inspiring process of building spatial data infrastructure at continent level. The European Community Directive to create a framework for an Infrastructure for Spatial Information in the European Community (INSPIRE) came into force in 2007. It was characterized by a highly participatory approach, both in the scoping and definition of the legal text, and also in the subsequent implementation phase and specification of detailed technical rules. This involved a variety of stakeholders, including government agencies, the private sector, NGO's, academics and other bodies, and included the gathering and use of best practice and standards across a broad range of user communities. INSPIRE is an important political step towards more efficient use of geographic information mainly for the purposes of environmental policies or policies with an impact on the environment. He concluded that INSPIRE provides an interesting model for developing an infrastructure in the full meaning of the word, i.e. including technical, shared practices, organizational settings and cooperative partnerships. The development required a lot of time, resources and effort, but the added ownerships of processes and outcomes can hardly be underestimated. The main uncertainties on how to deal with new developments refer to major commercial players and crowdsourcing initiatives. For the further INSPIRE-implementation, it is important to take more attention to users' needs, and to focus on INSPIRE & NSDI Capacity Building

18. **Ms. Laila Aslesen** [contribution not forwarded]

19. **Dr. Derek Clarke** presented an overview of the South African legislation related to geospatial information. He was of the view that there were three key elements that must be considered in an SDI, namely, usability (with the focus on the user), accessibility and availability. He elaborated on the Spatial Data Infrastructure Act. Some comments on the principles of such SDI legislation were provided.

20. **Mr. Roger Longhorn**, Senior Information Policy Analyst at Compass Informatics Ltd (Dublin, Ireland) and Communications Director, GSDI Association, presented the background of the Global Spatial Data Infrastructure (GSDI) Association's work, including sponsoring SDI-related activities in African states via the GSDI Small Grants Program. GSDI also developed a survey to collect information on SDI implementation 'best practice' which is available on the GSDI Geographic Information Knowledge Network (GIKnet) website. This survey is based on a combination of the sort of SDI 'assessment' questions used in the INSPIRE Directive 'State of Play' surveys for European states, technical issues of importance to GEOSS and practical experience gained in using different versions of the survey to collect information on SDI implementation at regional (sub-national), national and regional levels. Mr. Longhorn also presented the results of a recent (2012) study by the US Government Accountability Office (OGA) regarding the degree to which three key US government agencies (Departments of Interior, Commerce and Transportation) had met the goal of reducing duplication of geoinformation data collection under the existing US NSDI strategy. The OGA study found that most agencies had failed in the five categories of 'success' proposed in the

study, meeting only the requirement to create metadata. The lesson to be learned is that policy and allied legislation/regulation alone (i.e. the 1994 Presidential Executive Order for NSDI, in this case) are insufficient to achieve targeted goals. Recognizing that decision makers, and especially funding agencies, need to understand the value of geospatial information to society and the economy, Mr. Longhorn also mentioned the amount of past work that has gone in to cost-benefit studies for national and regional SDIs, plus initiatives such as the GEOSS supported initiative examining the socio-economic benefits from use of earth observation data.

22. **Professor Anne Fitzgerald** delivered a presentation on developments in the policy and legal framework relating to spatial information in Australia. Although there is not yet a comprehensive, national information policy relating either generally to public sector information or specifically to spatial information, recent inquiries by government-appointed committees have recommended the adoption of policies and practices that enable greater access to, and use and reuse of, public sector information (including spatial information). While recognising the importance of protecting personal privacy, maintaining confidentiality and compliance with other relevant laws and legal obligations, a focus of attention in Australia has been overcoming legal obstacles to information access and reuse. The presentation described how the Australian Federal and (some) State governments have reformed earlier inadequate or inappropriate licensing practices which impeded access to and reuse of government copyright materials (including spatial information) by adopting the Creative Commons Attribution (CC BY) as the default licence applied to government copyright materials. The CC BY licence permits the unremunerated copying, sharing and reuse of the licensed materials, while still recognising the source (provenance) and integrity of the material. Examples were provided of the use of CC licences by major Australian government departments responsible for spatial and statistical information, including Geoscience Australia, the Australian Bureau of Statistics and the Bureau of Meteorology.

### **5.3. Session 3: Other Experiences**

1. Ms. Eskedar Nega [contribution not submitted]
2. Mr. Mohamed Timoulali [contribution not submitted]
3. Mr. Ibrahim Mamma [contribution not submitted]

### **5.4. Session 4: Building a Legal Framework for SDI Development**

4. This session featured an open discussion on what could be the key elements to be considered while developing a legal framework for geoinformation utilization in Africa. The participants outlined the main challenges and issues pertaining to legal and regulatory frameworks development.

#### **5.4.1. Key Assumptions**

a. In Africa, we have to be cognizant of the existing political and legal situation in each state as, for example, how privacy is viewed and regulated depends on the political system of the different countries. For example, some countries follow democratic policies and others do not. Therefore, it is not easy to have a “one size fits all” approach to policy regarding issues such as this.

b. Policies and their implementation are often driven by individuals, not institutions. Having the right person (a ‘champion’) at the right place at the right time, is often crucial to success. However, even the most enlightened policy, proposed by the most determined ‘champion’, requires existence of an appropriate – and receptive – institutional infrastructure if change is to take place – a lesson learned in both developed and developing states across the globe in the past two decades for SDI implementation.

c. SDI development is a long-term process. It requires resilience, adaptability to changing technology and information culture, and persistence. Due to the long-term nature of implementing any national or regional information infrastructure (whether for e-government, SDI or other themes), it is important that the guiding authorities are able to manage the expectations of all stakeholders – data collectors/creators, owners, custodians, value-adders, sellers and users – recognizing that good practice policy and wide take-up of geoinformation takes time to implement. It is best if one can identify some early ‘win-win’ situations, for example in regard to land registration/cadaster, environmental protection or disaster warning or mitigation, all of which have highly visible and direct impacts of large sections of society and economies.

#### **5.4.2. Issues and Challenges**

26. The following issues were considered critical in legal and regulatory frameworks development:

- a. The legal and regulatory framework for spatial information should reflect and implement national, regional and international policies and standards on information access, use and reuse.
- b. Issues of human rights and protection of personal information should be dealt with.
- c. Security: National Security is a very sensitive issue, as some countries are in conflict situations and issues such as management of land, water and oil/gas (energy) may need special attention. Information regarding these issues might be (and often is, in practice) restricted, which can also relate to Economic Security.
- d. To implement good practice data sharing principles takes time, to change the way people and organizations think (i.e. changing existing information culture), but it should be encouraged. Proving the benefits of data sharing for government, citizens, society and the economy is an important driver in achieving acceptance of less restrictive data sharing principles. There are many data producers both within and outside government, which leads to too much duplication of effort in collecting the same or similar data, resulting in wasted money on all fronts – from within government and by industry stakeholders. [RAL: The GAO study shows this all too clearly – even 18 years after the US NSDI was ‘officially’ created by the Presidential Executive Order in 1994. The first step in reducing duplication is to create and publish (widely) metadata describing the data holdings of all stakeholders.]
- e. Data quality is of prime importance for most ‘official’ geoinformation datasets created and use by government agencies, as well as in underpinning information products or services from private industry, for example, navigation systems. Valuable and exciting new geospatial data is being created using crowdsourcing techniques, often collected by non-professional persons, including citizens. In all cases, being able to validate the quality of data, to see if it is ‘fit for purpose’ for any one intended use, is a complex issue which has yet to be resolved in even the more advanced SDI implementations across the globe.

- f. Political and bureaucratic challenges: Having the right people in the right place at the right time (and over long periods of time!) is difficult to achieve. Having ‘champions’ and enthusiastic individuals makes a difference (and is almost a pre-requisite for eventual success), but these people must be supported by an appropriately receptive institutional arrangement and political environment.
- g. Funding issues need to be considered from the outset, as part of the policy and strategy planning, since very few national SDI initiatives anywhere in the globe have ever offered additional (‘new’) money for implementing their SDIs (Canada and Netherlands being welcome exceptions). How to mobilize the needed resources requires input from economic, financial and legal experts from both government and private industry. Identifying the different stages of SDI development, and a country’s preparedness for each stage already today, can help identify the flow of resources need to implement the SDI over a number of years.

## Recommendations

In addition to issues raised during discussions, the meeting made the following general comments and recommendations:

- 27. Clarify why we need a legal framework for geographic data in Africa.
- 28. Clarify how the legal framework fits in the holistic vision of the geospatial programme.
- 29. Clarify what the legal framework is about.
- 30. Clarify for whom we do the development, i.e. more focus and effort on who is going to use the framework and how.
- 31. Justify strongly most of the decisions made in regard to further development.
- 32. Keep standards and specifications as simple as possible. Virtually all SDI implementations today (especially the more successful ones!) use existing international standards from ISO (with country/regional profiles) or specifications from the Open Geospatial Consortium (OGC).
- 33. KISS - Keep the legal framework simple and not too detailed.
- 34. Invest strongly in digital (data) content. Most data is still analogue. The framework is just a layer to improve the availability of existing digital data.
- 35. Reinforce capacity building for data custodians and especially users to make them more geospatial information literate in understanding the value of geoinformation and its uses.
- 36. Develop local (African) capacity relating to (i) information policy and practices; and (ii) areas of law and regulation relevant to implementing spatial information policy (notably, Intellectual Property Law, Privacy Law, Confidentiality).
- 37. Create and agree guidelines and standards for interoperability of information services and systems, and harmonization of metadata and data, while respecting the overriding ‘keep it simple’ principle. [1]
- 38. Collect existing legal terminology applied across the continent. [RAL: it will be impractical to ‘harmonize’ this either at all or within any realistic time frame – but we do need to be aware of current terminology in setting out harmonized policy statements.]
- 39. Need to set (operational) shared definitions for the most common terminology applied across the continent in a glossary. [RAL: and this would need to be agreed across a wide base of stakeholders, not just ‘experts’.]
- 40. Make data collected by/in the public sector (public sector information) as open and freely accessible as possible for (government users and) non-commercial purposes, realizing that access to some data may always need to be restricted (e.g. for national security, personal privacy, IPR and other reasons). Create awareness among decision makers about the

benefits of data sharing and open data principles based on the numerous studies conducted in the past few years at national and regional levels.

41. Develop mechanisms for enforcement of existing legal and regulatory frameworks. [RAL: ‘Propose mechanisms’ is probably more realistic than ‘develop’, since enforcement will rely on the existing legal situation in each individual country.]
42. Define a governance structure for further development of geospatial information policies with clear roles and responsibilities of the participants.
43. Determine an appropriate funding model [RAL: Rather ‘models’ (plural), since institutional conditions will vary widely across different African states.]
44. Information-related legislation and regulations need to be as ‘technology neutral’ as possible, since technology changes much faster than legal systems can cope with. Basing policies and legislation on open standards helps achieve such neutrality. [2]
45. Keep legislation strategic and implementation flexible. Legislation and technology do not mix. The (legal) specifications are often too detailed and the (technological) pace of change is great.
46. In cases where there are existing information related regulations, it is good practice to include and/or amend these with respect to the emerging issues for SDI implementation – and this offers a more rapid approach compared to creating new legislation ‘from scratch’. For those who do not have an information-related legal framework in place, it is necessary (valuable?) to include SDI requirements into the new legislation, coupled with other e-government issues and requirements. [KDP: All countries have some sort of “legal framework” with respect to geospatial information management even if the laws do not specifically refer to geospatial data. For example, laws relating to intellectual property, liability, privacy and/or data protection, national security, etc. The challenge is to identify these laws and their potential impact with respect to geospatial data.]
47. Embed the legal framework into overall development e-strategies. [RAL: Remember – government geoinformation is public sector information (PSI) first, and ‘geo’ second (due to the location attribute in such data). Developing legislation or regulatory frameworks separately for e-government and SDI has proved to be counter-productive in many states, more expensive in the long run and causing delays in achieving benefits of both e-government services and geoinformation use.]
48. Strengthen the links between e-government and geospatial. Do not consider them as two separate worlds. Align the proposed framework with existing relevant policies, relating to both government information generally, i.e. e-government initiatives, and geospatial data more specifically.
49. Expand the audience and preach the benefits of wider use of geospatial information to other (non-geospatial) sectors which still do create and use location-based information (they just do not think of it in ‘geo’ terms, e.g. transportation, health, education).
50. Undertake a baseline study using a practical and agreed assessment methodology prior to any policy and legal framework development. [KDP: Countries should conduct baseline assessments of laws/policies/regulations that impact geospatial information management as early as possible.]
51. Collect good/bad practices and experiences from Africa. Determining the lessons learnt specific for Africa and the current situation in Africa (e.g. from a variety of African states, look at key problems, challenges, opportunities, technological developments, information access trends, etc.).
52. Representatives from a nation’s legal community should be brought into the process as early as possible. Such representatives should include lawyers from industry, government and private practice and not just from the academic community.

53. Consider the ramifications and applicability of both top-down and bottom-up approaches to developing and implementing the SDI regulatory framework, as what works best in one country may not apply in another. Bottom up approaches have been effective in countries with much regional (inside the country) autonomy, such as Spain, Italy, Germany, and even the UK, yet top-down approaches seem to work best in those countries with more centralized governments.
54. Undertake cost-benefit studies to determine the value of implementing SDI in different national contexts. These are not easy to complete, if the results are to be of value to, and accepted by, decision makers and eventual funding agencies (which could be every government agency in a country that is responsible for core datasets, for example). Many cost-benefit studies already exist from around the globe, at national and regional (trans-national) level, from which some ‘good practice’ regarding methodologies applicable to different African states could be recommended. [3]
55. Work with the AUC. [RAL & Joep: OK, but how? What forum? What precedent?]
56. Develop practical guidelines for SDI implementation to assist spatial information custodians (practitioners) to implement the legal and regulatory framework for spatial information access, use and reuse such as the guideline being developed within CODIST for managing fundamental geoinformation datasets (MAfA), while being fully cognizant of the excellent work that has already gone in to producing existing SDI guidelines, such as the Africa SDI Implementation Guide, GSDI Association SDI Cookbook, and guides from individual nations and (sub-national) regions. [4]
57. Propose ‘good practice’ in forming broadly based SDI stakeholder groups at national level, taking into account the political, developmental and economic context of individual African states. [5] While most SDI initiatives are led by (and in the past have been led by) topographic or cadastral agencies, key stakeholders are in other non-geo specific sectors – transport, agriculture, water, energy, marine/coastal, health, education, etc. – and representatives from these agencies need to be included in defining the policy and any needed regulatory framework from the outset. Failure to do so may result in failure for all sections of government and society to benefit from the SDI.
58. Define exactly what we mean by a ‘legal framework’ and/or ‘policy framework’ so that all stakeholders know in what activity they are being asked to participate. [6]
59. Identify and engage with the key stakeholders using mechanisms appropriate to national contexts. Involve numerous Africans in the development via stakeholder group meetings. Actively engage a wide community of stakeholders in the process and build capacity for its implementation and continued operation. [RAL: This also requires some basic governance infrastructure – and funding!].
60. Set up a stakeholders group specifically for further development of the legal framework, including representatives of the public and private sectors, academia, NGOs and citizens.
61. Seek stakeholder commitment at different administrative levels. Try to get it on the national political agenda, e.g. for spatial planning, etc.
62. Apply the legal framework for geospatial data availability developed by Katleen Janssen as a starting framework for the further development of the legal framework in Africa. Having a cross sectorial interoperability framework for the availability is all about finding a balance between conflicting policies that promote and/or limit the availability of public data. On the one hand, certain policies aim to increase the availability of geographic data and services. On the other, geographic data and services are also regulated by legislation and policies that can impede the availability. These mainly stem from concerns about, among others, privacy, intellectual property rights, national security, and liability. The law, regulations, and practices that protect these interests bring a decrease in the geographic data and services that are available to the outside world. The framework includes also the laws,

regulations and policies dealing with the underlying (cooperative or competitive) relationships between stakeholders.

63. Determine a feasible road map (Time + Costs) with clear deliverables and agreed key performance indicators for the implementation. Don't let the 'legal issues' get in the way of achieving what you want to achieve in broadening the access to, and use of, geographic data.
64. Don't get totally blocked by the legal issues! Address the pressing problems in each country and then see how a national SDI policy could help overcome those problems. We need to identify 'early wins' - a working solution (you need to provide examples to the politicians to get early 'buy in').
65. The implementation of the legal framework in Africa is a 'long process' - current work is 'proof of concept' and do it step by step.
66. It is important to consider the institutional arrangements in conjunction with the legal and regulatory framework as there is an impact on data sharing and working cooperatively.

The meeting also made comments and recommendations about the role of UNECA for the further development of the legal framework:

- Need to look at the international experience to then discuss with AU to see how we could move forward.
- Role of UNECA is as a facilitator and advisor.
- Need to finalize the guidelines - need to be a part of the overall spatial info management plan for the continent - scale down to sub-regional level to get the regional economic committees involved.
- UNECA should expand the audience - especially to higher ministerial level. We have been talking to surveyors, etc. for years, with no result - now that we are going to AU high officials, getting at least some interest and results.

## Way Forward

67. The meeting recommended that ECA should work to finalize the draft report of the meeting and circulate it to participants by e-mail for comments.
68. For finalizing the technical publication, the experts agreed that once the draft report has been recast according to the recommendations of the meeting, it should be circulated for further comments.

## Closure of the Meeting

69. In her closing remarks, the Director, ICT Science and Technology Division at ECA thanked all the experts for the hard work in ensuring that the objectives of the meeting were met. She reminded the experts that their task was not yet complete; more work was needed to finalize the technical position paper. She said that ECA would continue to call on their technical input until the publication was finalized and disseminated. She underscored that ECA was building bridges and networks with experts in Africa and elsewhere on this particular issue of enabling legal frameworks. She emphasized that invitation to this ad hoc meeting was the beginning of professional partnerships with ECA.
70. She finally expressed the Commission gratitude on the cooperation she had received from all the participants.

RAL additional Notes:

[1] INSPIRE's implementing rules (highly detailed data specifications) have already been found to be counter-productive to some national SDI implementations – and the final EC Regulation has not even been adopted yet! Interoperability of (web) services is almost guaranteed today, as long as one sticks to using OGS-compliant software packages.

[2] Note that in the entire INSPIRE Directive, there is virtually no text relating to the technology to be used to implement the Directive. For example, new mobile data collection devices were in fact in their infancy when INSPIRE was first proposed in 2002-2005 and 'crowdsourcing' or VGI was almost unheard of then.

[3] CBA (cost-benefit analysis) methods / approaches (and associated assumptions) that worked in USA, Canada, Australia, or even most of Europe, will not be of much use in an African state context.

[4] Or do you mean guidelines for implementing policy and regulatory frameworks, specifically, as opposed to SDIs generally – since the latter include many non-policy/legal issues as well.

[5] Virtually all SDI developments in Europe, at national level, although initially led by mapping and cadastral agencies, very soon created more broadly based 'SDI Councils' or 'Advisory Groups', etc. – typically with some official position within the governments information-related hierarchy, often even at Cabinet level or with advisory input to national policy.

[6] This is not rocket science - and some fairly simple definitions do exist if you use Google to search on 'legal framework', typically in the context of specific themes, such as water policy, agriculture policy, etc. But we kept hearing (mainly from ECA members at the meeting?) – "please tell me what the legal framework is". It is nothing more or less than the whole collection of legal instruments that you enact to implement your information policies. And a policy framework is nothing more than a statement of what all those policies are, how they interrelate and why they have been proposed. And so, you cannot tell someone 'what the framework is' until you have proposed the policies and the implementation regulations. The strategy for implementation is developed in parallel, since 'regulation' is often needed in order to implement a specific 'policy'.

## Appendix 1: List of Participants

Expert Group Meeting on Enabling Legal and Regulatory Framework for Geoinformation Utilisation

UNECA – Addis Ababa, Ethiopia

11-13 December 2012

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