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Committee on the Environment, Public Health and Food Safety

2013/0224(COD)

8.11.2013

*****I**

DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport and amending Regulation (EU) No 525/2013 (COM(2013)0480 – C7-0201/2013 – 2013/0224(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Theodoros Skylakakis

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport and amending Regulation (EU) No 525/2013 (COM(2013)0480 – C7-0201/2013 – 2013/0224(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0480),
 - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0201/2013),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of ...¹,
 - having regard to the opinion of the Committee of the Regions of ...²,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on Industry, Research and Energy and the Committee on Transport and Tourism (A7-0000/2013),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C ... /Not yet published in the Official Journal.

² OJ C ... /Not yet published in the Official Journal.

Amendment 1

Proposal for a regulation Title 1

Text proposed by the Commission

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on the monitoring, reporting and
verification of **carbon dioxide** emissions
from maritime transport and amending
Regulation (EU) No 525/2013
(Text with EEA relevance)

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on the monitoring, reporting and
verification of **greenhouse gas** emissions
from maritime transport and amending
Regulation (EU) No 525/2013
(Text with EEA relevance)

Or. en

Amendment 2

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Maritime transport has an impact on the global climate and on air quality, as a result of CO₂ emissions and other emissions, including nitrogen oxides (NO_x), sulphur oxides (SO_x), methane (CH₄), particulate matter (PM) and black carbon (BC).

Or. en

Amendment 3

Proposal for a regulation Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) In the light of the rapidly developing scientific understanding of that impact, an updated assessment of the non-CO₂ impact of maritime transport on the global climate should be carried out regularly in the context of this Regulation. Based on its assessments, and taking into account the European Parliament's resolution of 14 September 2011 on a comprehensive approach to non-CO₂ emissions, the Commission should analyse the implications for policies and measures in order to reduce those emissions.

Or. en

Amendment 4

Proposal for a regulation

Recital 1 c (new)

Text proposed by the Commission

Amendment

(1c) The Commission should also take action to address other activities that lead to emissions of greenhouse gases and air pollutants that are not included in this Regulation, i.e. the use of refrigerants by fishing boats, and evaporative emissions from the loading-offloading of fuels and bulk goods (e.g. VOCs, PM).

Or. en

Amendment 5

Proposal for a regulation

Recital 1 d (new)

Text proposed by the Commission

Amendment

(1d) The Commission White Paper "Roadmap to a Single European Transport Area" of 2011 calls for a reduction of emissions from maritime transport by 40% (50% if feasible) compared to 2005 levels by 2050.

Or. en

Amendment 6

Proposal for a regulation Recital 1 e (new)

Text proposed by the Commission

Amendment

(1e) The European Parliament's Resolution on the "Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system" (2011/2096(INI)) calls for an EU-wide uniform 30% reduction in emissions of CO₂ and pollutants in shipping, to which the IMO agreements on the Energy Efficiency Design Index and the Ship Energy Efficiency Management Plan are to make a contribution.

Or. en

Amendment 7

Proposal for a regulation Recital 3

Text proposed by the Commission

Amendment

(3) According to data provided by the

(3) According to data provided by the

IMO, the specific energy consumption and CO₂ emissions of ships could be reduced by **up to 75%** by applying operational measures and implementing existing technologies; a significant part of those measures can be regarded as cost-effective as the reduced fuel costs ensure the pay-back of any operational or investment costs.

IMO, the specific energy consumption and CO₂ emissions of ships could be reduced by **25-75 %** by applying operational measures and implementing existing technologies; a significant part of those measures can be regarded as cost-effective **and being such that they could offer net benefits to the sector**, as the reduced fuel costs ensure the pay-back of any operational or investment costs.

Or. en

Amendment 8

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In order to reduce carbon dioxide emissions from shipping at Union level the best possible option remains setting up a system for monitoring, reporting and verification (MRV) of **CO₂** emissions based on the fuel consumption of ships as a first step of a staged approach for the inclusion of maritime transport emissions in the Union's greenhouse gas reduction commitment.

Amendment

(4) In order to reduce carbon dioxide emissions from shipping at Union level the best possible option remains setting up a system for monitoring, reporting and verification (MRV) of **greenhouse gas** emissions based on the fuel consumption of ships **in order to collect aggregate data on such emissions** as a first step of a staged approach for the inclusion of maritime transport emissions in the Union's greenhouse gas reduction commitment.

Or. en

Amendment 9

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) The results of the stakeholder

Amendment

(6) The results of the stakeholder

consultation and discussions with international partners indicate that a staged approach for the inclusion of maritime transport emissions in the Union's greenhouse gas reduction commitment should be applied with the implementation of a robust MRV system for *CO₂* emissions from maritime transport as a first step and *the pricing of these emissions* at a later stage. This approach facilitates making significant progress at international level on the agreement of greenhouse gas emission reduction targets and further measures to achieve these reductions at minimum cost.

consultation and discussions with international partners indicate that a staged approach for the inclusion of maritime transport emissions in the Union's greenhouse gas reduction commitment should be applied with the implementation of a robust MRV system for *greenhouse gas* emissions from maritime transport as a first step and *the introduction of new policy instruments ,namely, pricing of the emissions or a levy*, at a later stage. This approach facilitates making significant progress at international level on the agreement of greenhouse gas emission reduction targets and further measures to achieve these reductions at minimum cost.

Or. en

Amendment 10

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) The introduction of a Union MRV system is expected to lead to emission reductions *of up to 2% compared to business-as-usual and aggregated net costs reductions of up to 1.2 billion EUR* by 2030 as it could contribute to the removal of market barriers, in particular those related to the lack of information about ship efficiency. This reduction of transport costs should facilitate international trade. Furthermore, a robust MRV system is a prerequisite for any market-based measure or efficiency standard, whether applied at Union level or globally. It also provides reliable data to set precise emission reduction targets and to assess the progress of maritime transport's contribution towards achieving a low carbon economy.

Amendment

(7) The introduction of a Union MRV system is expected to lead to *some* emission reductions by 2030 as it could contribute to the removal of market barriers, in particular those related to the lack of information about ship efficiency. This reduction of transport costs should facilitate international trade. Furthermore, a robust MRV system is a prerequisite for any market-based measure or efficiency standard, whether applied at Union level or globally. It also provides reliable data to set precise emission reduction targets and to assess the progress of maritime transport's contribution towards achieving a low carbon economy.

Amendment 11**Proposal for a regulation****Recital 8***Text proposed by the Commission*

(8) All intra-Union voyages, all incoming voyages from the last non-Union port to the first Union port of call and all outgoing voyages from a Union port to the next non-Union port of call should be considered relevant for purposes of monitoring. **CO₂** emissions in Union ports including when ships are at berth or move within a port, should be covered as well, in particular as specific measures for their reduction or avoidance are available. These rules should be applied in a non-discriminatory manner to all ships regardless of their flag.

Amendment

(8) All intra-Union voyages, all incoming voyages from the last non-Union port to the first Union port of call and all outgoing voyages from a Union port to the next non-Union port of call should be considered relevant for purposes of monitoring. **Greenhouse gas** emissions in Union ports including when ships are at berth or move within a port, should be covered as well, in particular as specific measures for their reduction or avoidance are available. These rules should be applied in a non-discriminatory manner to all ships regardless of their flag.

Amendment 12**Proposal for a regulation****Recital 11***Text proposed by the Commission*

(11) The Union MRV system should also cover other climate relevant information **allowing for the determination of ships' efficiency or** further analyse the drivers for the development of emissions. This scope also aligns the Union MRV system with international initiatives to introduce efficiency standards for existing ships, also covering operational measures, and contributes to the removal of market

Amendment

(11) The Union MRV system should also cover other climate relevant information **in order to** further analyse the drivers for the development of emissions. This scope also aligns the Union MRV system with international initiatives to introduce efficiency standards for existing ships, also covering operational measures, and contributes to the removal of market

barriers related to the lack of information.

barriers related to the lack of information.

Or. en

Amendment 13

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) In order to ***minimise the administrative burden for ship owners and operators***, in particular ***for small and medium sized enterprises, and to optimise the benefits-costs-ratio of the MRV system without jeopardising the objective to cover a widely predominant share of greenhouse gas emissions from maritime transport, the rules for MRV*** should ***only*** apply to ***large emitters. A threshold of 5000 gross tonnage (GT) has been selected after detailed objective analysis of sizes and emissions of ships going to and coming from Union ports. Ships above 5000 GT account for around 55% of the number of ships calling into Union ports and represent around 90% of the related emissions. This non-discriminatory threshold would ensure that that the most relevant emitters are covered. A lower threshold would result in higher administrative burden while a higher threshold would limit the coverage of emissions and thus the environmental effectiveness of the system.***

Amendment

(12) In order to ***ensure coherence with existing international law***, in particular ***with MARPOL Annex VI***, the MRV system should apply to ***ships of 400 GT and*** above.

Or. en

Amendment 14

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) To further reduce the administrative effort for ship owners and operators, the monitoring rules should focus on CO₂ as the by far most relevant greenhouse gas emitted by maritime transport which contributes to up to 98% of the total greenhouse gas emissions of this sector.

Amendment

deleted

Or. en

Amendment 15

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) Other greenhouse gases, climate forcers or air pollutants should not be covered by the Union MRV system at this stage to avoid requirements to install not sufficiently reliable and commercially available measurement equipment, which could impede the implementation of the Union MRV system.

Amendment

(16) The MRV system is an opportunity to ensure coherent regulation of the shipping sector with regard to other sectors, thus, it is necessary that the monitoring of NO_x also contained in MARPOL Annex VI is included in the MRV while avoiding requirements to install not sufficiently reliable and commercially available measurement equipment.

Or. en

Amendment 16

Proposal for a regulation Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) The MARPOL Convention includes the mandatory application of the Energy Efficiency Design Index (EEDI) to new ships and the use of Ship Efficiency Management Plans (SEEMP) throughout the entire world fleet.

Or. en

Amendment 17

Proposal for a regulation Recital 17

Text proposed by the Commission

Amendment

(17) To minimise the administrative burden for ship owners and operators, reporting and publication of reported information should be organised on an annual basis. ***By restricting the publication of emissions, fuel consumption and efficiency-related information to annual averages and aggregated figures, confidentiality issues should be addressed.*** The data reported to the Commission should be integrated with statistics to the extent that these data are relevant for the development, production and dissemination of European statistics in accordance with Commission Decision 2012/504/EU of 17 September 2012 on Eurostat .

(17) To minimise the administrative burden for ship owners and operators, reporting and publication of reported information should be organised on an annual basis. The data reported to the Commission should be integrated with statistics to the extent that these data are relevant for the development, production and dissemination of European statistics in accordance with Commission Decision 2012/504/EU of 17 September 2012 on Eurostat.

Or. en

Amendment 18

Proposal for a regulation Recital 25

Text proposed by the Commission

(25) In order to make use of the best available practices and scientific evidence, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of reviewing certain technical aspects of monitoring and reporting of **CO₂** emissions from ships and of further specifying rules for the verification of emission reports and the accreditation of verifiers. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Amendment

(25) In order to make use of the best available practices and scientific evidence, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of reviewing certain technical aspects of monitoring and reporting of **greenhouse gas** emissions from ships and of further specifying rules for the verification of emission reports and the accreditation of verifiers. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Or. en

Amendment 19

Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) The objective of the proposed action, namely to monitor, report and verify **CO₂** emissions from ships as first step of a staged approach to reduce these emissions cannot be sufficiently achieved by the Member States acting individually, due to the international nature of maritime transport and can therefore, by reason of scale and effects of the action, be better achieved at Union level. The Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with

Amendment

(27) The objective of the proposed action, namely to monitor, report and verify **greenhouse gas** emissions from ships as first step of a staged approach to reduce these emissions **and achieve the targets set out in the Commission White Paper "Roadmap to a Single European Transport Area"**, cannot be sufficiently achieved by the Member States acting individually, due to the international nature of maritime transport and can therefore, by reason of scale and effects of the action, be better achieved at Union level. The Union

the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

Or. en

Amendment 20

Proposal for a regulation Article 1

Text proposed by the Commission

This Regulation lays down rules for the accurate monitoring, reporting and verification of **carbon dioxide (CO₂)** emissions and other climate relevant information from ships arriving at, within or departing from ports under the jurisdiction of a Member State in order to promote the reduction of **CO₂** emissions from maritime transport in a cost effective manner.

Amendment

This Regulation lays down rules for the accurate monitoring, reporting and verification of **greenhouse gas** emissions and other climate relevant information from ships arriving at, within or departing from ports under the jurisdiction of a Member State in order to promote the reduction of **greenhouse gas** emissions from maritime transport in a cost effective manner.

Or. en

Amendment 21

Proposal for a regulation Article 2 – paragraph 1

Text proposed by the Commission

1. This Regulation applies to ships above **5000** gross tons in respect of emissions released during their voyages from the last port of call to a port under the jurisdiction of a Member State and from a port under

Amendment

1. This Regulation applies to ships above **400** gross tons in respect of emissions released during their voyages from the last port of call to a port under the jurisdiction of a Member State and from a port under

the jurisdiction of a Member State to their next port of call, as well as within ports under the jurisdiction of a Member State.

the jurisdiction of a Member State to their next port of call, as well as within ports under the jurisdiction of a Member State.

Or. en

Amendment 22

Proposal for a regulation Article 2 – paragraph 2

Text proposed by the Commission

2. This Regulation does not apply to warships, naval auxiliaries, ***fish catching or processing ships***, wooden ships of a primitive build, ships not propelled by mechanical means and government ships used for non-commercial purposes.

Amendment

2. This Regulation does not apply to warships, naval auxiliaries, wooden ships of a primitive build, ships not propelled by mechanical means and government ships used for non-commercial purposes.

Or. en

Amendment 23

Proposal for a regulation Article 3 – point a

Text proposed by the Commission

(a) 'emissions' means the release of CO₂ into the atmosphere by ships as provided for in Article 2;

Amendment

(a) 'emissions' means the release of CO₂ ***and NO_x*** into the atmosphere by ships as provided for in Article 2;

Or. en

Amendment 24

Proposal for a regulation Article 3 – point b

Text proposed by the Commission

(b) 'port of call' means the port where a ship stops to load or unload cargo or to embark or disembark passengers, excluding stops for the sole purpose of refuelling, obtaining fresh supplies *and/or* relieving the crew;

Amendment

(b) 'port of call' means the port where a ship stops to load or unload cargo or to embark or disembark passengers, excluding stops for the sole purpose of refuelling, obtaining fresh supplies and/or relieving the crew, *dry-dock, ship's repairs and stops in port for emergency, distress or for the sole purpose of taking shelter from adverse weather*;

Or. en

Amendment 25

Proposal for a regulation
Article 3 – point g

Text proposed by the Commission#

(g) 'other climate-relevant information' means information related to the consumption of fuels, *transport work* and energy efficiency of ships which allow for analysing emission trends and assessing ships' performances;

Amendment

(g) 'other climate-relevant information' means information related to the consumption of fuels and energy efficiency of ships which allow for analysing emission trends and assessing ships' performances;

Or. en

Amendment 26

Proposal for a regulation
Article 3 – paragraph 1 – point j

Text proposed by the Commission

(j) 'conservative' means that a set of assumptions is defined in order to ensure that no under-estimation of annual emissions or over-estimation of distances

Amendment

(j) 'conservative' means that a set of assumptions is defined in order to ensure that no under-estimation of annual emissions or over-estimation of distances

or amounts of cargo carried occurs;

occurs;

Or. en

Amendment 27

Proposal for a regulation Article 3 – point k

Text proposed by the Commission

Amendment

(k) ‘tonnes of CO₂’ means metric tonnes of CO₂;

deleted

Or. en

Amendment 28

Proposal for a regulation Article 3 – point l a (new)

Text proposed by the Commission

Amendment

(la) ships at berth means ships which are securely moored or anchored in a Community port while they are loading, unloading or hotelling, including the time spent when not engaged in cargo operations;

Or. en

Amendment 29

Proposal for a regulation Article 4 – paragraph 1

Text proposed by the Commission

1. Companies shall monitor and report for every ship the amount and type of fuel consumed during a **calendar year** within **each port** under the jurisdiction of a Member State and for **each voyage** arriving to and departing from a port located under the jurisdiction of a Member State in accordance with paragraphs 2 to 6.

Amendment

1. Companies shall monitor and report for every ship the amount and type of fuel consumed during a **reporting period** within **all ports** under the jurisdiction of a Member State and for **all voyages** arriving to and departing from a port located under the jurisdiction of a Member State in accordance with paragraphs 2 to 6.

Or. en

Amendment 30

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

For the purposes of Article 4(1), (2) and (3), companies shall determine their emissions and other climate relevant information for each of their ships above **5000** GT in accordance with any of the methods set out in Annex I.

Amendment

For the purposes of Article 4(1), (2) and (3), companies shall determine their emissions and other climate relevant information for each of their ships above **400** GT in accordance with any of the methods set out in Annex I.

Or. en

Amendment 31

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. By 31 August 2017, companies shall submit to the verifiers a monitoring plan indicating the method chosen to monitor and report emissions and other climate-relevant information for each of their ships

Amendment

1. By 31 August 2017, companies shall submit to the verifiers a monitoring plan indicating the method chosen to monitor and report emissions and other climate-relevant information for each of their ships

above **5000** GT.

above **400** GT.

Or. en

Amendment 32

Proposal for a regulation Article 6 – paragraph 3 – point c

Text proposed by the Commission

(c) a description of the emission sources *on board of the ship such as main engines, auxiliary engines, boilers and inert gas generators and the fuel types used;*

Amendment

(c) a description of the **following** emission sources **and their associated fuel types on board of the ship as follows:**

(i) main engine(s)

(ii) auxiliary engine(s)

(iii) boiler(s)

(iv) inert gas generator(s);

Or. en

Amendment 33

Proposal for a regulation Article 6 – paragraph 3 – point d

Text proposed by the Commission

(d) a description of procedures, systems and responsibilities used to update the completeness of the list of emission sources over the monitoring **year** for the purpose of ensuring the completeness of monitoring and reporting of the emissions of the ship;

Amendment

(d) a description of procedures, systems and responsibilities used to update the completeness of the list of emission sources over the monitoring **period** for the purpose of ensuring the completeness of monitoring and reporting of the emissions of the ship;

Or. en

Amendment 34

Proposal for a regulation

Article 6 – paragraph 3 – point h – subpoint ii

Text proposed by the Commission

Amendment

(ii) the procedures, responsibilities, formulae and data sources for determining and recording the cargo carried and the number of passengers as applicable;

deleted

Or. en

Amendment 35

Proposal for a regulation

Article 6 – paragraph 3 – point j

Text proposed by the Commission

Amendment

(j) the date of the latest modification to the monitoring plan.

deleted

Or. en

Amendment 36

Proposal for a regulation

Article 6 – paragraph 3 – point j a (new)

Text proposed by the Commission

Amendment

(ja) a revision record sheet to record all details of the revision history;

Or. en

Amendment 37

Proposal for a regulation Article 7 – paragraph 2 – point a

Text proposed by the Commission

(a) where a change of ownership of ships occurs;

Amendment

(a) where a change of ownership of ships,
or change of DOC holder or of flag
occurs;

Or. en

Amendment 38

Proposal for a regulation Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Monitoring may be suspended during periods during which a ship is engaged in emergency situations including life-saving activities.

Or. en

Amendment 39

Proposal for a regulation Article 9 – point b

Text proposed by the Commission

(b) amount and emission factor for each type of fuel consumed in total ***and differentiated between fuel used inside and outside emission control areas;***

Amendment

(b) amount and emission factor for each type of fuel consumed in total;

Or. en

Amendment 40

Proposal for a regulation Article 9 – point c a (new)

Text proposed by the Commission

Amendment

(ca) NO_x emitted;

Or. en

Amendment 41

Proposal for a regulation Article 9 – point e

Text proposed by the Commission

Amendment

(e) time spent at sea;

(e) time spent at sea **and at berth**;

Or. en

Amendment 42

Proposal for a regulation Article 9 – point f

Text proposed by the Commission

Amendment

(f) cargo carried;

deleted

Or. en

Amendment 43

Proposal for a regulation Article 9 – point g

Text proposed by the Commission

Amendment

(g) transport work.

deleted

Or. en

Amendment 44

**Proposal for a regulation
Article 9 – point f a (new)**

Text proposed by the Commission

Amendment

(fa) energy efficiency as defined in Annex II;

Or. en

Amendment 45

**Proposal for a regulation
Article 9 – point g a (new)**

Text proposed by the Commission

Amendment

(ga) date and time of the start and finish of periods during which monitoring was suspended due to emergency situations such as life-saving activities, along with a description of the same.

Or. en

Amendment 46

**Proposal for a regulation
Article 9 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

By way of derogation from the first paragraph , vessels exclusively operating within the scope of this Regulation and performing multiple voyages per day are exempted from monitoring emissions on a per-voyage basis.

Or. en

Amendment 47

Proposal for a regulation Article 10 – point a

Text proposed by the Commission

(a) amount and emission factor for each type of fuel consumed in total ***and differentiated between fuel used inside and outside emission control areas;***

Amendment

(a) amount and emission factor for each type of fuel consumed in total;

Or. en

Amendment 48

Proposal for a regulation Article 10 – point b

Text proposed by the Commission

(b) total CO₂ emitted;

Amendment

(b) total CO₂ ***and NO_x*** emitted;

Or. en

Amendment 49

Proposal for a regulation Article 10 – point c

Text proposed by the Commission

(c) aggregated CO₂ emissions from all voyages between ports under a Member State's jurisdiction;

Amendment

(c) aggregated CO₂ **and NO_x** emissions from all voyages between ports under a Member State's jurisdiction;

Or. en

Amendment 50

Proposal for a regulation Article 10 – point d

Text proposed by the Commission

(d) aggregated CO₂ emissions from all voyages which departed from ports under a Member State's jurisdiction;

Amendment

(d) aggregated CO₂ **and NO_x** emissions from all voyages which departed from ports under a Member State's jurisdiction;

Or. en

Amendment 51

Proposal for a regulation Article 10 – point e

Text proposed by the Commission

(e) aggregated CO₂ emissions from all voyages to ports under a Member State's jurisdiction;

Amendment

(e) aggregated CO₂ **and NO_x** emissions from all voyages to ports under a Member State's jurisdiction;

Or. en

Amendment 52

Proposal for a regulation Article 10 – point f

Text proposed by the Commission

(f) CO₂ emissions which occurred within ports under a Member State's jurisdiction at berth;

Amendment

(f) CO₂ **and NO_x** emissions which occurred within ports under a Member State's jurisdiction at berth;

Or. en

Amendment 53

Proposal for a regulation Article 10 – point h

Text proposed by the Commission

(h) total time spent at sea;

Amendment

(h) total time spent at sea **and at berth**;

Or. en

Amendment 54

Proposal for a regulation Article 10 – point i

Text proposed by the Commission

(i) **total transport work**;

Amendment

(i) **energy efficiency as defined in Annex II**;

Or. en

Amendment 55

Proposal for a regulation Article 10 – point j

Text proposed by the Commission

Amendment

(j) average energy efficiency.

deleted

Or. en

Amendment 56

Proposal for a regulation Article 11 – paragraph 3 – point a –subpoint iv

Text proposed by the Commission

Amendment

(iv) technical efficiency of the ship (the Energy Efficiency Design Index (EEDI) *or the Estimated Index Value (EIV)* in accordance with IMO Resolution MEPC.215 (63), where applicable)

(iv) technical efficiency of the ship (the Energy Efficiency Design Index (EEDI) in accordance with IMO Resolution MEPC.215 (63), where applicable)

Or. en

Amendment 57

Proposal for a regulation Article 11 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) details of suspended monitoring periods due to emergency situations and life-saving.

Or. en

Amendment 58

Proposal for a regulation Article 14 – paragraph 2 – point h

Text proposed by the Commission

(h) the calculations leading to the determination of the energy efficiency.

Amendment

(h) the calculations leading to the determination of the energy efficiency **as defined in Annex II.**

Or. en

Amendment 59

Proposal for a regulation Article 21 – paragraph 1

Text proposed by the Commission

1. By 30 June each year, the Commission shall make publicly available the emissions reported in accordance with Article 11 **and information on the company's compliance with the monitoring and reporting requirements set out in Articles 11 and 17.**

Amendment

1. By 30 June each year, the Commission shall make publicly available the aggregated yearly emissions reported in accordance with Article 11, **respecting the confidentiality of commercial information to protect a legitimate economic interest pursuant to Articles 3 and Article 4 of Directive 2003/4/EC of the European Parliament and of the Council .**

Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information (OJ L 41, 14.2.2003, p. 26)

Or. en

Amendment 60

Proposal for a regulation Article 21 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) the identity of the ship (name, IMO registration number and port of registry or home port);

deleted

Or. en

Amendment 61

Proposal for a regulation Article 21 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) the identity of the ship owner (name and address of owner and his principal place of business);

deleted

Or. en

Amendment 62

Proposal for a regulation Article 21 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) technical efficiency of the ship (EEDI or EIV where applicable);

(c) technical efficiency of the ship (EEDI where applicable);

Or. en

Amendment 63

Proposal for a regulation Article 21 – paragraph 2 – point d

Text proposed by the Commission

(d) annual CO₂ emissions;

Amendment

(d) annual CO₂ **and NO_x** emissions;

Or. en

Amendment 64

Proposal for a regulation Article 21 – paragraph 2 – point f

Text proposed by the Commission

(f) annual average ***fuel consumption and greenhouse gas emissions per distance travelled of voyages falling within the scope of this Regulation;***

Amendment

(f) annual average ***energy efficiency as defined in Annex II;***

Or. en

Amendment 65

Proposal for a regulation Article 21 – paragraph 2 – point g

Text proposed by the Commission

(g) annual average fuel consumption and greenhouse gas emissions per distance travelled ***and cargo carried*** on voyages falling within the scope of this Regulation;

Amendment

(g) annual average fuel consumption and greenhouse gas emissions per distance travelled on voyages falling within the scope of this Regulation;

Or. en

Amendment 66

Proposal for a regulation Article 22 – paragraph 3

Text proposed by the Commission

3. Where an international agreement on global measures to reduce greenhouse gas emissions from maritime transport is reached, the Commission shall review this Regulation ***and may, if appropriate, propose amendments to this Regulation.***

Amendment

3. Where an international agreement on global measures to reduce greenhouse gas emissions from maritime transport is reached, the Commission shall review this Regulation ***in order to harmonise Union rules with international rules.***

Or. en

Amendment 67

Proposal for a regulation Article 23

Text proposed by the Commission

The power to adopt delegated acts in order to supplement and amend the provisions of Annexes I and II to take into account up-to-date scientific evidence available, as well as ***the relevant data available on board of ships and*** the relevant international rules and internationally accepted standards, to identify the most accurate and efficient methods for monitoring of emissions, and to improve the accuracy of the information requested related to the monitoring and reporting of emissions is conferred on the Commission subject to the conditions laid down under Article 24 to the extent it concerns non-essential elements of this Regulation.

Amendment

The power to adopt delegated acts in order to supplement and amend the provisions of Annexes I and II to take into account up-to-date scientific evidence available, as well as the relevant international rules and internationally accepted standards, to identify the most accurate and efficient methods for monitoring of emissions, and to improve the accuracy of the information requested related to the monitoring and reporting of emissions is conferred on the Commission subject to the conditions laid down under Article 24 ***only*** to the extent it concerns non-essential elements of this Regulation.

Or. en

Amendment 68

Proposal for a regulation

Article 26 – paragraph 2

Regulation (EU) No 525/2013

Article 21 a –paragraph 2

Present text

(2) The Commission shall be empowered to adopt delegated acts in accordance with [Article 25 of this Regulation] to specify the requirements for the monitoring and reporting of CO₂ emissions from maritime transport pursuant to Articles 9 and 10 of Regulation (EU) No XXXX/XXXX and taking into account, where applicable, relevant decisions adopted by the bodies of the UNFCCC and the Kyoto Protocol or agreements deriving from them or succeeding them or decisions adopted in the context of the International Maritime Organisation.

Amendment

(2) The Commission shall be empowered to adopt delegated acts in accordance with [Article 25 of this Regulation] to specify the requirements for the monitoring and reporting of CO₂ **and NO_x** emissions from maritime transport pursuant to Articles 9 and 10 of Regulation (EU) No XXXX/XXXX and taking into account, where applicable, relevant decisions adopted by the bodies of the UNFCCC and the Kyoto Protocol or agreements deriving from them or succeeding them or decisions adopted in the context of the International Maritime Organisation.

Or. en

Amendment 69

Proposal for a regulation

Article 26 – paragraph 2

Regulation (EU) No 525/2013

Article 21 a –paragraph 3 a (new)

Present text

Amendment

(3a) The Commission shall biennially assess the maritime transport sector's overall impact on the global climate including through non-CO₂ emissions or effects, based on the emission data provided by Member States pursuant to Article 7 and/or provided under Regulation(EU) No XXXX/XXXX and improve that assessment by reference to scientific advancements and maritime traffic data.

Amendment 70

Proposal for a regulation ANNEX I – point B – paragraph 3 a (new)

Text proposed by the Commission

Amendment

Any combination of the above methods, approved by the verifier may be used if it enhances the overall accuracy of the measurement.

Or. en

Amendment 71

Proposal for a regulation ANNEX I – point B – paragraph 3 – subpoint 1 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

Where BDNs are not available on board ships, especially where cargo is used as a fuel, for example, liquefied natural gas (LNG) boil-off, only the stock takes of fuel tanks and bunker fuel tank readings shall be used.

Or. en

Amendment 72

Proposal for a regulation ANNEX I – point B – paragraph 3 – subpoint 4 – paragraph 1

Text proposed by the Commission

Amendment

The direct emissions measurements may be

The direct emissions measurements may be

used for voyages within the scope of this regulation and for emissions occurring in ports located in a Member State's jurisdiction. CO₂ emitted shall include CO₂ emitted by main engines, auxiliary engines, boilers and inert gas generators. ***For ships on which reporting is based on this method, the fuel consumption shall be calculated using the measured CO₂ emissions and the applicable emission factor of the relevant fuels.***

used for voyages within the scope of this regulation and for emissions occurring in ports located in a Member State's jurisdiction. CO₂ ***and NO_x*** emitted shall include CO₂ ***and NO_x*** emitted by main engines, auxiliary engines, boilers and inert gas generators.

Or. en

Amendment 73

Proposal for a regulation

ANNEX I – point B – paragraph 3 – subpoint 4 – paragraph 2

Text proposed by the Commission

This method is based on the determination of CO₂ emission flows in exhaust gas stacks (funnels) by multiplying the CO₂ concentration of the exhaust gas with the exhaust gas flow.

Amendment

This method is based on the determination of CO₂ ***and NO_x*** emission flows in exhaust gas stacks (funnels) by multiplying the CO₂ ***and NO_x*** concentration of the exhaust gas with the exhaust gas flow.

Or. en

Amendment 74

Proposal for a regulation

ANNEX II – point A – paragraph 4

Text proposed by the Commission

For passenger ships, the number of passengers shall be used to express cargo carried. For all other categories of ships, the amount of cargo carried shall be expressed as metric tonnes and cubic meters of cargo.

Amendment

deleted

Amendment 75

Proposal for a regulation ANNEX II – point A – paragraph 5

Text proposed by the Commission

Amendment

Transport work shall be determined by multiplying the distance travelled with the amount of cargo carried.

deleted

Or. en

Amendment 76

Proposal for a regulation ANNEX II – point B – paragraph 3 - subparagraph 1

Text proposed by the Commission

Amendment

Average energy efficiency shall be monitored by using *at least four* indicators, fuel consumption per distance, *the fuel consumption per transport work*, the CO₂ emissions per distance *and the CO₂ emissions per transport work*, which shall be calculated as follows:

Average energy efficiency shall be monitored by using *two* indicators, fuel consumption per distance *and* the CO₂ *and* NO_x emissions per distance which shall be calculated as follows:

Or. en

Amendment 77

Proposal for a regulation ANNEX II – point B – paragraph 3 - subparagraph 3

Text proposed by the Commission

Amendment

***Fuel consumption per transport work =
total annual fuel consumption / total
transport work*** ***deleted***

Or. en

Amendment 78

**Proposal for a regulation
ANNEX II – point B – paragraph 3 - subparagraph 4**

Text proposed by the Commission

Amendment

***CO₂ emissions per distance = total annual
CO₂ emissions / total distance travelled***

***CO₂ and NO_x emissions per distance =
total annual CO₂ and NO_x emissions /
total distance travelled***

Or. en

Amendment 79

**Proposal for a regulation
ANNEX II – point B – paragraph 3 - subparagraph 5**

Text proposed by the Commission

Amendment

***CO₂ emissions per transport work = total
annual CO₂ emissions / total transport
work*** ***deleted***

Or. en

EXPLANATORY STATEMENT

Introduction

The maritime transport sector plays a key role in the European economy. It is responsible for a large fraction of the international transport of goods between the EU-27 and the rest of the world, while it provides a significant contribution to intra-EU transport of goods. According to the “EU TRANSPORT in figures, 2012”, in 2010 the shipping sector was responsible for freight transport of approximately 1400 billion tonne-kilometres (tkm) in the EU-27, second to road transport (1800 billion tkm). Shipping is less important for the transport of passengers within the EU-27 when it comes to number of passengers being transported; however, it remains an important transport mode in areas where other modes of transport are limited by geographic setting (e.g. islands).

Due to its dependence on fossil fuel combustion and the fact that it is one of the least regulated anthropogenic emission sources, emissions from the marine transport sector contribute to both air pollution and climate change. The sector's environmental impact from emissions such as carbon dioxide (CO₂), nitrogen oxides (NO_x), sulphur oxides (SO_x), methane (CH₄), particulate matter (PM) and black carbon (BC) from shipping occurring in European waters can contribute up to 10–20% of overall worldwide shipping emissions. When considering all ship traffic from national and international shipping arriving or departing from EU-27 ports the contribution can be up to 30% for CO₂. A recent technical report by the EEA (No 4/2013) addresses the sector's impact on air quality and climate forcing in Europe. NO_x emissions from international maritime transport in European waters are projected to increase and could be equal to land-based sources by 2020 onwards. At the global scale, ship emissions of both air pollutants and greenhouse gases (GHGs), with contribution to direct and indirect climate forcing, indicate a net cooling effect despite the significant increase of CO₂ emissions. The projected reduction of SO₂ and PM emissions from international shipping will lead to a reduction of the direct aerosol cooling effect over Europe. The EEA report shows the importance of taking into account the dual impact of emissions from international shipping on air quality and climate forcing. Therefore, an integrated measurement, reporting and verification (MRV) system covering emissions of air pollutants and GHGs will contribute to provide better information on the co-benefits and trade-offs on related policies in Europe.

Regulatory background and technology challenges

In international and European air quality and climate policymaking, the need for international regulation on ship emissions has been identified. In 1997 a new annex was added to the International Convention for the Prevention of Pollution from Ships (MARPOL). The MARPOL Annex VI seeks to minimize airborne emissions from ships (SO_x, NO_x, ozone-depleting substances (ODS), volatile organic compounds (VOCs)) and their contribution to local air pollution and global environmental problems. Annex VI entered into force on 19 May 2005 and a revised Annex VI with significant tightened emissions limits entered into force on 1 July 2010. In 2007 international shipping was estimated to have contributed about 2.7% to the global emissions of CO₂. IMO has also adopted mandatory technical and operational

energy efficiency measures aiming to reduce the amount of CO₂ emissions from international shipping.

At EU level, the Directive 2009/29/EC foresees “a proposal to include international maritime emissions... in the Community reduction commitment, with the aim of the proposed act entering into force by 2013”. The Commission’s 2011 Transport White Paper called for “EU CO₂ emissions from maritime transport to be cut by 40% (if feasible 50%) by 2050 compared to 2005 levels”. Last year, the Commission announced it would not meet that deadline nor for the moment bring forth a proposal to limit emissions. In June 2013, the Commission made this proposal for a monitoring, reporting and verification system (MRV) of CO₂ emissions from international shipping. In parallel, the Commission published a communication with open discussion points on how to integrate in the future the maritime transport emissions in the EU’s GHGs reduction policies.

A big growth of world trade is expected in the future due to the projected increase of world population by 2 billion people in the next decades, plus the active participation of another 2 billion people in the global economy. This growth represents a challenge for the maritime sector to meeting a target for emissions required to achieve stabilisation in global temperatures. Therefore, in parallel, innovative technologies and practices also need to be developed and applied in the future concerning fuel quality/fuel switch, emissions reduction technologies and ship operating measures.

Rapporteur’s comments

This Regulation provides an opportunity for a European wide approach for MRV of both GHGs and air pollutant emissions from the maritime sector. Such an approach will permit Europe to develop emission reduction policies for the maritime sector in the near future consistent with the overall climate, air pollution and human health protection policies. There is therefore the need to broaden the scope by including the MRV of NO_x emissions additionally to those of the CO₂. Both CO₂ and NO_x maritime emissions are increasing significantly, causing important climate forcing. Similarly to the MMR Regulation EU No 525/2013 concerning the aviation sector, an assessment of the environmental impacts of maritime transport on the global climate is proposed by amending the MMR Regulation. The Commission, based on this assessment, should address the environmental impact of maritime emissions such as PM, BC and CH₄, as well as other activities that lead to emissions of air pollutants and GHGs, i.e. use of refrigerants by fishing boats, and evaporative emissions from loading-offloading of fuels and bulk goods (e.g. VOCs, PM).

The Commission has proposed to limit the scope of the Regulation to ships above 5000GT. In order to improve the coverage of emissions and to create coherence with other international rules such as those defined in MARPOL Annex VI, the scope should be extended to all ships above 400GT. Since this limit has also been put forward in discussions at the IMO, it would align the EU rules with a likely future international framework.

While it is important to ensure that this Regulation covers maritime emissions as coherently as possible, it is also of crucial importance to focus on the essentials and to limit the implementation costs and the administrative burden. Likewise, companies should not be obliged to publish information which is business sensitive and potentially misleading. Thus

the rapporteur proposes to exclude transport work from the other climate relevant information as it is not related to the measurement of emissions. The maritime market has already – due to the high cost of fuels – very high incentives to increase its energy efficiency and the energy efficiency of the transport work in real life is a much more sophisticated issue, which cannot be determined without knowledge of the specific market circumstances that dictate the decisions of the ship owners and operators. Without the knowledge of the available cargos, their mass compared to their weight, the weather conditions, the relevant prices, the geographical and other limitations, the timeframe of the delivery etc, the real energy efficiency of a voyage and its impact to social welfare cannot be determined. On the contrary the partial eponymous publication of such information may misinform the public on the real energy efficiency and create unnecessary disputes.