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*****I**

REPORT

on the proposal for a European Parliament and Council regulation concerning monitoring of forests and environmental interactions in the Community (Forest Focus)
(COM(2002) 404 – C5-0351/2002 – 2002/0164(COD))

Committee on the Environment, Public Health and Consumer Policy

Rapporteur: Encarnación Redondo Jiménez

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 15 July 2002 the Commission submitted to Parliament, pursuant to Article 251(2) and Article 175 of the EC Treaty, the proposal for a European Parliament and Council regulation concerning monitoring of forests and environmental interactions in the Community (Forest Focus) (COM(2002) 404 – 2002/0164 (COD)).

At the sitting of 2 September 2002 the President of Parliament announced that he had referred this proposal to the Committee on the Environment, Public Health and Consumer Policy as the committee responsible and the Committee on Budgets, the Committee on Budgetary Control and the Committee on Agriculture and Rural Development for their opinions (C5-0351/2002).

The Committee on the Environment, Public Health and Consumer Policy appointed Encarnación Redondo Jiménez rapporteur at its meeting of 2 October 2002.

It considered the Commission proposal and draft report at its meetings of 9 December 2002 and 22 January 2003.

At the latter meeting it adopted the draft legislative resolution by 22 votes to 7, with 1 abstention.

The following were present for the vote: Mauro Nobilia, acting chairman; Alexander de Roo and Anneli Hulthén vice-chairmen; Encarnación Redondo Jiménez, rapporteur; Hans Blokland, David Robert Bowie, John Bowis, Dorette Corbey, Chris Davies, Avril Doyle, Anne Ferreira, Robert Goodwill, Françoise Grossetête, Jutta D. Haug (for Béatrice Patrie), Heidi Annali Hautala (for Hiltrud Breyer), Marie-Thérèse Hermange (pursuant to Rule 166(3)), Marie Anne Isler Béguin, Christa Kläß, Eija-Riitta Anneli Korhola, Bernd Lange, Peter Liese, Giorgio Lisi (for Marialiese Flemming), Minerva Melpomeni Malliori, Jorge Moreira da Silva, Emilia Franziska Müller, Rosemarie Müller, Riitta Myller, Karl Erik Olsson (for Marit Paulsen), Fernando Pérez Royo (for Elena Valenciano Martínez-Orozco), Dagmar Roth-Behrendt, Guido Sacconi, Gilles Savary (pursuant to Rule 166(3)), Inger Schörling, Catherine Stihler, Charles Tannock (for Horst Schnellhardt), Kathleen Van Brempt, Peder Wachtmeister, Phillip Whitehead.

The opinions of the Committee on Budgets and the Committee on Agriculture and Rural Development are attached; the Committee on Budgetary Control decided on 10 September 2002 not to deliver an opinion.

The report was tabled on 29 January 2003.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation concerning monitoring of forests and environmental interactions in the Community (Forest Focus) (COM(2002) 404 – C5-0351/2002 – 2002/0164(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2002) 404¹),
 - having regard to Articles 251(2) and 175 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0351/2002),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy and the opinion of the Committee on Budgets and of the Committee on Agriculture and Rural Development (A5-0022/2003),
1. Considers that the financial statement attached to that report is compatible with the ceiling of heading 3 of the Financial Perspective, if necessary through a reduction of other policies or through recourse to the provisions of the IIA of 6 May 1999;
 2. Approves the Commission proposal as amended;
 3. Asks for the matter to be referred to it again, should the Commission intend to amend its proposal substantially or replace it with another text;
 4. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1 Title

Proposal for a European Parliament and Council Regulation concerning monitoring of forests and environmental interactions in the Community

Proposal for a European Parliament and Council Regulation concerning monitoring of forests and environmental interactions in the Community ***and forest fire prevention***

¹Not yet published in OJ.

Justification

The Commission's proposal is to be welcomed in that it makes for a substantial improvement in the monitoring of the factors that contribute to the degradation of forests in the European Union. However, this monitoring would be partially shorn of its meaning if at the same time Community measures on the ground were adversely affected, as would be the case if forest fire prevention measures were not taken into account.

Amendment 2

Recital 1

(1) Forests have an important multifunctional role for society. Apart from their significant role in the development of rural areas, forests have a major value for nature conservation, play an important role in preserving the environment, are key elements of the carbon cycle and significant carbon sinks and represent a critical controlling factor of the hydrological cycle.

(1) Forests have an important multifunctional role for society. Apart from ***the major impact which they have in social and economic terms and***, their significant role in the development of rural areas ***the existence of which may depend in large measure on the presence and good condition of the surrounding forest***, forests have a major value for nature conservation, play an important role in preserving the environment, are key elements of the carbon cycle and significant carbon sinks and represent a critical controlling factor of the hydrological cycle.

Justification

The importance of the social and economic role played by forests must also be emphasised.

There are local agricultural economies which are based exclusively on diverse and well-balanced exploitation of the neighbouring forest

Amendment 3

Recital 2 a (new)

(2a) The guiding principle of the Community's contribution to reducing the number and size of fires should be the need to tackle the causes of fires and the provision of preventive measures to combat

fires and of forest surveillance measures.

Justification

This amendment seeks to highlight the major problem of environmental damage caused by fires.

Amendment 4
Recital 2 b (new)

(2b) The protection of forests against fires is a matter of particular importance and urgency for the Community, which should coordinate its Member States' efforts and maximise its contribution thereto in order to enhance those efforts.

Justification

This amendment seeks to highlight the major problem of environmental damage caused by fires.

Amendment 5
Recital 4

(4) The sixth environmental action programme of the European Community [37] identifies the need to base the drawing-up, implementation and evaluation of environmental policies on a knowledge based approach and, in particular, the need for monitoring the multiple roles of forests in line with recommendations adopted by the Ministerial Conference on the Protection of Forests in Europe and the United Nations Forum on Forests and the Convention on Biodiversity and other fora.

(4) The sixth environmental action programme of the European Community [37] identifies the need to base the drawing-up, implementation and evaluation of environmental policies on a knowledge based approach and, in particular, the need for monitoring the multiple roles of forests in line with recommendations adopted by the Ministerial Conference on the Protection of Forests in Europe, the United Nations Forum on Forests, the Convention on Biodiversity, ***the Framework Convention on Climate Change*** and other fora.

Justification

The Framework Convention on Climate Change numbers among the agreements that have been signed and ratified, and defines forests as acting as greenhouse gas sinks.

Moreover, if in the future the Regulation is broadened and the possibility of measuring carbon stocks is considered, it must conform to this Convention.

Amendment 6 Recital 5 a (new)

(5a) Appropriate and cost-effective measures must be reconciled with existing systems, with due regard for the EU's competence in respect of forests, in accordance with the forestry strategy and without prejudice to the subsidiarity principle.

Justification

It is important to take account of existing international agreements and national practices when adopting a new regulation concerning the EU's competence with regard to forests.

Amendment 7 Recital 7

(7) Both regulations expire on 31 December 2002 ***and*** it is in the general interest of the Community to continue and further develop ***the*** monitoring activities established by those Regulations by integrating them into a new scheme called 'Forest Focus'.

(7) Both regulations expire on 31 December 2002. ***Owing to the damage that is caused to European forests both by atmospheric pollution and by fires*** it is in the general interest of the Community to continue and further develop ***preventive and*** monitoring activities established by those regulations by integrating them into a new scheme called 'Forest Focus'.

Justification

Regulations (EEC) No 3528/86 and (EEC) No 2158/92 recognise that the damage caused by these phenomena are of import to the Community, and it was precisely for that reason that they were introduced. The Regulation should therefore make specific reference to these phenomena.

Preventive activities must be included alongside monitoring activities, so as to ensure that on-site Community projects are taken into account as well.

Amendment 8 Recital 7 a (new)

(7a) The forested areas of Europe (in particular those in the southern part of the continent) are extremely vulnerable to the risk of forest fire and they require the pursuit and development of a specific, distinctive EU policy to combat forest fires – an activity which has so far been carried out on the basis of Regulation No 2158/92 on the protection of forests against fire.

Justification

The need for a clearly identified (and identifiable by the parties involved) European forest-fire prevention policy must be restated here. In view of the risks present in certain European regions the EU must send out a strong, unmistakeable political signal in support of forest-fire prevention policies. Fire-prevention activities must stem from a comprehensive risk-management policy and must not be swallowed up in the EU's general rural-development policy, since that may kindle anti-European sentiment in the event of serious incidents.

Amendment 9 Recital 8

(8) Measures under the scheme concerning forest fire monitoring should complement those measures which are under taken, in particular, under the provisions of Council Decision 1999/847/EC of 9 December 1999 establishing a Community action programme

(8) Measures under the scheme concerning forest fire **prevention and** monitoring should complement those measures which are under taken, in particular, under the provisions of Council Decision 1999/847/EC of 9 December 1999 establishing a Community

in the field of civil protection, Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations and Council Regulation (EEC) No 1615/89 of 29 May 1989 establishing a European Forestry Information and Communication System (EFICS).

action programme in the field of civil protection, Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations and Council Regulation (EEC) No 1615/89 of 29 May 1989 establishing a European Forestry Information and Communication System (EFICS), ***which must include the conducting of information and awareness campaigns. For that purpose it must be allocated sufficient financial resources in order to enable it to function.***

Justification

Fire-prevention activities must have an impact not only on the environment but also on the people who are mostly responsible for starting forest fires, for which reason the measures provided for in the Regulation must be duly supplemented by appropriate information campaigns. The EFICS programme is currently unable to function through lack of funding.

Preventive activities must be included alongside monitoring activities, so as to ensure that on-site Community projects are taken into account as well.

Amendment 10 Recital 8 a (new)

(8a) The European Parliament particularly values its prerogatives as a co-legislator in the field of forest-fire risk prevention. All the activities carried on under Regulation 2158/92 (which has recently expired) must therefore be continued under this European Parliament and Council regulation in order to ensure that the requisite democratic checks can be carried out.

Justification

The European Parliament cannot accept the proposal for a regulation, which will have the effect of withdrawing from the scope of its democratic checks the forest-fire protection

measures formerly covered by Regulation 2158/92. This, indeed, was the tenor of the complaint lodged by Parliament on 30 April 1997 (Cases C 164 and 165/97). The European Court of Justice has acknowledged that Community action to protect the Community's forests against fire should be based on Article 175 of the EC Treaty (environment). In March 2002, Parliament and the Council decided to increase the budget for the performance of activities under the 1992 regulation (vote held on 2 March 2002 - PE 314.907).

Amendment 11
Recital 9 a (new)

(9a) Account should be taken of the ecological richness and diversity of forests in the outermost regions of the European Union and the desirability of adopting specific measures in environmental policy.

Justification

The special ecological features of forest ecosystems in the various outermost regions of the European Union, which form part of a number of biogeographical regions recognised by the IUCN (International Union for Conservation of Nature) should be the subject of special measures designed to establish Community systems in the field of forestry, in line with the approach enshrined in Article 299(2) of the EC Treaty as regards the application of Community provisions under the CAP.

Amendment 12
Recital 10, sentences 1 and 2

(10) In order to promote a comprehensive understanding of the relationship between forests and the environment, the scheme should also include monitoring of other important factors such as biodiversity, carbon sequestration, climate change and soils. That scheme should therefore comprise actions in order to provide for a broader range of objectives and a flexible implementation, while building on the achievements made under Regulations (EEC) No 3528/86 and (EEC) No 2158/92.

(10) In order to promote a comprehensive understanding of the relationship between forests and the environment, ***in line with the commitments taken in numerous international conventions***, the scheme should also include monitoring of other important factors such as biodiversity, carbon sequestration, ***effects of*** climate change and soils. That scheme should therefore ***also*** comprise actions in order to provide for a broader range of objectives and a flexible implementation, while building on the achievements made under Regulations (EEC) No 3528/86 and (EEC) No 2158/92.

Justification

In recent years, it has become clear that the importance of forests to the environment extends beyond pollution impact and impact fires. When introducing new fields, it is important that synergies between the monitoring under this regulation and other international conventions are used.

Amendment 13 Recital 10 a (new)

(10a) The proposed monitoring activity could assist substantially the monitoring requirements deriving from other EU commitments, such as from the European Climate Change Programme¹, the EU Biodiversity Strategy² and corresponding Biodiversity Action Plans, the 6th Environmental Action Programme, the EC Habitats Directive, the Soil Strategy, and the forthcoming scheduled work on soil.

¹EU policies and measures to reduce greenhouse gas emissions: Towards a European Climate Change Program, COM (2000) 88 final.

²A European Community Biodiversity Strategy, 5.02.1998, COM (1998) 42 final.

Justification

It is crucial to stress the link between this regulation and other forest-related EU processes.

Amendment 14 Recital 12

(12) The Commission should ensure the co-ordination, monitoring and development of the scheme through a Scientific Co-ordination Body and conduct it's own studies, experiments and demonstration projects.

Deleted.

Justification

This Community system should fall within the competence of the European Environmental Agency, and there is therefore no reason to establish a coordination body, given that knowledge, experience and organisation are already available for use through the EEA.

Amendment 15 Recital 15a (new)

Funding beyond 2006 shall be subject to approval by the budgetary authority and take into account the mid-term review of the programme

Justification

The existing financial perspective is valid until 2006. Future financing of Community programmes, from 2007 and onwards, should be decided once the new overall financial resources have been decided. In consequence, the financial amounts beyond 2006 will have to be confirmed either by an agreement on a new financial perspective and/or by annual budgetary decisions.

Amendment 16 Recital 25a (new)

(25a) In view of the fragmentation of forestry measures resulting from the Agenda 2000 reforms, a slogan ('Forest Focus') should be applied to all Community activities relating to forests, and should be used on posters and in documents and notices.

Justification

The profile of Community activities relating to forests has diminished to such an extent following the repeal of Regulations 2080/92 and 1610/89 that it is difficult to identify any such activities. The use of this slogan (which is also the name of the proposed regulation) would restore this profile.

Amendment 17
Article 1

Article 1

A Community scheme for broad based, harmonised and comprehensive, long-term monitoring of **forest ecosystems** conditions, (hereinafter referred to as ‘the scheme’) is hereby established to **encourage the implementation of monitoring activities, in particular in the following areas:**

a) monitoring and protection of forests against atmospheric pollution;

b) monitoring and protection of forests against fires;

c) monitoring of biodiversity, climate change, carbon sequestration and soils;

d) continuous evaluation of the efficiency of the monitoring activities in the assessment of forest *ecosystems* conditions and the further development of monitoring activity.

The scheme shall provide reliable and comparable data and information on forest ecosystems conditions and harmful

Article 1

With due regard for the need for subsidiarity, a Community scheme for broad based, harmonised and comprehensive long-term monitoring of ***the conditions of forests*** (hereinafter referred to as ‘the scheme’) is hereby established to ***support national forest policies in Member States whilst respecting the specific ecological characteristics found in the outermost regions of the European Union*** and to:

a) continue and develop:

- monitoring of air pollution effects and of other agents factors that impact upon forests, such as biotic and abiotic factors and factors of anthropogenic origin;

- monitoring and protection of forests against fires and monitoring of the causes and impacts thereof;

- forest fire prevention measures.

b) develop, in agreement with the Standing Forestry Committee, monitoring of biodiversity, climate change, carbon sequestration, soils ***and the protective functions of forests;***

d) continuous evaluation of the efficiency of the monitoring activities in the assessment of the condition of forests and the further development of monitoring activity, at both Community and cross-border level.

The efficiency of the scheme shall be continuously evaluated. The scheme will assess the information needs related to

influences affecting the Community's forests ecosystems. It shall also help to evaluate ongoing Community measures to promote conservation and sustainable management of forests, with particular emphasis on actions taken to reduce impacts negatively affecting forest ecosystems.

soils, carbon sequestration, climate change and biodiversity and then evaluate and assess the feasibility of including monitoring mechanisms that can contribute substantially to the needs within these fields. The scheme shall take into account, and where possible link to, existing or planned European and global monitoring mechanisms. It should also gear its data towards the relevant international agreements.

Justification

The lapsing of the forest fire prevention measures financed under Regulation (EEC) No 2158/92 will result in the discontinuation of actions undertaken in Member States not covered by Regulation (EC) 1257/1999 on Rural Development.

Moreover, experience in relation to the previous Regulations shows there to be a clear relationship between the damage caused to forests by anthropogenic factors (pollution) and other already-existing biotic (blights and diseases) and abiotic (significant climate stress) factors.

With regard to forest fires, the best way of combating such fires is to study their causes and impacts.

The amendment also highlights the need to ensure, first and foremost, continuity with respect to previous regulations, and to study the viability of the new factors to be assessed.

There are major differences between forests in the Community, and in order to establish an effective common monitoring system due account must be taken of each Member State's differences and needs.

The objective of protection of forest ecosystems in the Community cannot be sufficiently achieved by the Member States acting separately. Yet the scope of the proposal does not fall under the competence of the EU. The addition made by the amendment is therefore necessary. This amendment is compatible with the amendment by the rapporteur.

The information on which to base any decision on inclusion of new activities, with relevance to e.g. biodiversity, is lacking. Continued evaluation should be regarded as fundamental

The information on which to base any decision on inclusion of new activities, with relevance to e.g. biodiversity, is lacking. Continued evaluation should be regarded as fundamental. There is no justification for expanding the scope of the regulation to include monitoring biodiversity without any clear consideration of needs and without taking account of Member States' existing systems. Appropriate and cost-effective measures should be coordinated with existing systems, taking account of the EU's competence in the field of forestry and in accordance with the subsidiarity principle and the forestry strategy. Measures to promote sustainable management and use of forests are taken at national level.

The modifications to this article correspond to the definitions of FAO and are better suited to the realities of the Member States

As the rapporteur herself points out it is preferable to refer to ‘forests’ rather than ‘forest ecosystems’.

Furthermore, it should be emphasised that monitoring and fire prevention must be priorities.

In view of the importance of the Standing Forestry Committee, it would be as well to involve it in certain monitoring activities.

Amendment 18
Article 2, point (f)

f) study the dynamics of forest fires and their impacts on forest **ecosystems**;

f) study the dynamics of forest fires and their **causes and** impacts on forests;

Justification

The causes of forest fires must be researched in order to be able to improve prevention policy.

Amendment by Encarnación Redondo Jiménez

Amendment 19
Article 2, paragraph 1, point (g)

(g) develop indicators **and** methodologies for **cumulative** risk assessment.

(g) develop indicators **as well as** methodologies for risk assessment **concerning multiple stresses on forests over time and space.**

Justification

Not all stresses are cumulative in order to produce a risk, but they are different in time and space, as the risk is.

Amendment 20
Article 3, paragraph 1

Article 3

1. For the purpose of this regulation, the following definitions shall apply:

Article 3

1. For the purpose of this regulation, the following definitions shall apply:

a) “Forest *ecosystems*” means ‘*forest*’ ***being*** land with tree crown cover (or equivalent stocking level) of more than 10 percent and area of more than 0.5 ha., the trees ***being*** able to reach a minimum of 5m. at maturity *in situ*, and ‘*other wooded land*’ ***being*** land either with a tree crown cover (or equivalent stocking level) of 5 to 10 percent of trees able to reach a height of 5 m. at maturity *in situ*; or a crown cover (or equivalent stocking level) of more than 10 percent of trees not able to reach a height of 5 m at maturity *in situ* (e.g. dwarf or stunted trees) or shrub or bush cover;

b) ‘*Ecosystem*’ means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit’;

d) ‘*Improvement of the scheme*’ means the optimisation of monitoring activities already implemented.

2. Forest as referred to in paragraph 1 (a) may consist either of closed forest formations where trees of various storeys

a) ‘Forest’ means land with tree crown cover (or equivalent stocking level) of more than 10 percent and area of more than 0.5 ha. The trees ***should be*** able to reach a minimum ***height*** of 5m at maturity *in situ*. ***May consist either of closed forest formations where trees of various storeys and undergrowth cover a high proportion of the ground; or of open forest formations with a continuous vegetation cover in which tree crown cover exceeds 10%. Young natural stands and all plantations established for forestry purposes which have yet to reach a crown density of 10% or tree height of 5m are included under forest, as are areas normally forming part of the forest area which are temporarily unstocked as a result of human intervention or natural causes but which are expected to revert to forest;***

b) ‘*Other wooded land*’ means Land either with a tree crown cover (or equivalent stocking level) of 5-10% of trees able to reach a height of 5m at maturity *in situ*; or a crown cover (or equivalent stocking level) of more than 10 percent of trees not able to reach a height of 5m at maturity *in situ* (e.g. dwarf or stunted trees) and shrub or bush cover;

d) ‘*Forest fire*’ means ‘*Fire which breaks out and spreads on forest and other wooded land or which breaks out on other land and spreads to forest and other wooded land;*

e) ‘*Geo-referenced*’ means a reference to a specific geographic area within which data or other information is gathered. The area referred to may be larger than the area or point from which the data/information is gathered, for example in order to ensure anonymity as regards the source gathered data/information.

Deleted

and undergrowth cover a high proportion of the ground; or of open forest formations with a continuous vegetation cover in which tree crown cover exceeds 10 percent. Young natural stands and all plantations established for forestry purposes which have yet to reach a crown density of 10 percent or tree height of 5m are included under forest, as are areas normally forming part of the forest area which are temporarily unstocked as a result of human intervention or natural causes, but which are expected to revert to forest.

Justification

The most precise definitions are those established by the FAO since they encompass the definitions used in each of the Member States.

The modifications to this article correspond to the definitions of FAO and are better suited to the realities of the Member States.

Amendment 21 Article 5, paragraph 1

1. Building on the achievements of Regulation (EEC) N° 2158/92, the scheme shall continue and further develop an information system in order to collect comparable information on forest fires at Community level.

1. Building on the achievements of Regulation (EEC) N° 2158/92, the scheme shall continue and further develop an information system in order to collect comparable information on forest fires at Community level ***and in particular on areas at risk from forest fires in the European Union as well as at cross-border level, principally in countries bordering the Member States of the European Union. It shall also continue the prevention measures introduced by the said Regulation.***

Justification

The new scheme should not exclude the prevention measures introduced by the previous regulation on the protection of the Community's forests against fire since many actions would lapse owing to their not being covered by Regulation (EC) No 1257/99 on Rural

Development.

If prevention is to be made possible and action taken upstream, information must be gathered on the geographical areas which are vulnerable to forest fires

Fires are very often 'imported'.

Amendment 22
Article 5, paragraph 3

3. Member States may, ***at their request***, participate in the measures and activities referred to in paragraphs 1 and 2.

3. Member States may participate in the measures and activities referred to in paragraphs 1 and 2.

Justification

In paragraphs 1 and 2 a right to participate is established. There is no need to ask anyone's permission, for which reason the highlighted phrase is superfluous.

Amendment 23
Article 6

1. For the realisation of the aims set out in Article 1(c), the Commission shall conduct studies, experiments and demonstration projects to further develop the scheme and, in particular to:

2. ***Based on*** the findings of the measures set out in paragraph 1, ***the Commission*** may ***ask*** Member States ***to*** carry out studies, experiments, demonstration projects or a monitoring test phase.

3. The measures set out in paragraphs 1 and 2 shall help to define new monitoring activities, to be incorporated into the scheme ***after the approval of appropriate manuals***. When developing the scheme,

1. For the realisation of the aims set out in Article 1(c), the Commission, ***jointly with the Member States***, shall conduct studies, experiments and demonstration projects to further develop the scheme, ***at both Community and cross-border level***, and, in particular to:

2. ***In parallel with*** the findings of the measures set out in paragraph 1, Member States may, ***at the request of the Commission or on their own initiative***, carry out studies, experiments, demonstration projects or a monitoring test phase.

3. The measures set out in paragraphs 1 and 2 shall help to define new monitoring activities, to be incorporated into the scheme. ***The decision to initiate those activities must be taken by the Standing***

the Commission shall take account of scientific as well as financial needs and restrictions.

Forestry Committee on the basis of a proposal from the Commission and after consultation of the European Advisory Committee on Forests and Cork. When developing the scheme, the Commission shall take account of scientific as well as financial needs and restrictions.

4a. New monitoring measures and the timetables for their preparation shall be coordinated with the Commission's other initiatives and planned proposals to monitor biodiversity, climate change, carbon sequestration and soil.

Justification

Fires are very often 'imported'.

As the measures referred to in the article do not entirely accord with the EU's competence, and, in the form proposed by the Commission, are unrealistic in relation to the stated objectives, it would be better for the measures to be performed voluntarily and coordinated with global and national systems already under development and with the Commission's other proposals. Subparagraph (d) should be deleted, as measures to promote the sustainable management and use of forests are taken at national level.

The final decision should be taken jointly by the Commission and the Member States. However, the latter should have the final say since the studies and pilot tests will be carried out on their territory.

The European Advisory Committee on Forests and Cork, which has been set up by the Commission, represents relevant socio-professional circles and its purpose is to promote the exchange of information. It could therefore usefully be brought into the procedure..

Amendment 24

Article 7, paragraph 1, first sentence

1. For the realisation of the aims set out in Article 1 **(d)** and in addition to the actions set out in Article 6, the Commission shall conduct studies, experiments and demonstration projects in order to:

1. For the realisation of the aims set out in Article 1 **(c)** and in addition to the actions set out in Article 6, the Commission shall, ***in close collaboration with the Member States***, conduct studies, experiments and demonstration projects in order to:

Justification

The justification for this amendment lies in the amendment itself.

Amendment 25 Article 7, paragraph 1a (new)

(1a) For the realisation of the aims set out in Article 1(c) and the actions set out in Article 6, Member States may incorporate into their national programmes studies, experiments and demonstration projects in the areas described in paragraph 1.

Justification

This amendment follows the same line of thinking as the preceding amendments placing greater emphasis on subsidiarity.

Amendment 26 Article 8, paragraph 2

2. The national programmes shall be submitted to the Commission within **30 days** following the entry into force of this Regulation and thereafter before 1 November in the year preceding the commencement date of each 3 year period.

2. The national programmes shall be submitted to the Commission within **60 days** following the entry into force of this Regulation and thereafter before 1 November in the year preceding the commencement date of each 3 year period.

Justification

The time limit of 30 days after the adoption of the regulation is an unrealistic target to set. Since the activities referred to in Article 6 are a new form of action, it is impossible to know in advance whether they will serve their purpose and their scope should consequently not be extended automatically under the scheme. Instead, Member States should decide how to turn their experiences to account.

Amendment 27
Article 8, paragraph 3

3. Member States shall adapt ***their*** national programmes ***approved*** by the Commission, in particular in order to ***allow for the extension of the*** monitoring activity developed in accordance with Article 6.

3. Member States shall adapt ***future*** national programmes ***for approval*** by the Commission, in particular in order to ***assess possible*** monitoring activity developed in accordance with Article 6 ***in the light of experience,)and once it has been finalised.***

Justification

This is intended to make it clear that any adaptation is not to take place until the next programme period.

New monitoring activities can only be incorporated into the national programmes once they have been developed. They will therefore have to be duly defined and orchestrated beforehand.

The time limit of 30 days after the adoption of the regulation is an unrealistic target to set. Since the activities referred to in Article 6 are a new form of action, it is impossible to know in advance whether they will serve their purpose and their scope should consequently not be extended automatically under the scheme. Instead, Member States should decide how to turn their experiences to account.

Amendment 28
Article 8, paragraph 4

4. The national programmes shall be accompanied by an ex-ante evaluation when they are submitted to the Commission. The Member States shall also carry out mid-term evaluations at the end of the third year of the period set out in Article 12 and ex-post evaluations at the end of that period.

4. The national programmes shall be accompanied by an ***external*** ex-ante evaluation when they are submitted to the Commission. The Member States shall also carry out mid-term evaluations at the end of the third year of the period set out in Article 12 and ex-post evaluations at the end of that period.

Justification

Ex-ante evaluations geared to ensuring uniform standards should be carried out by persons or bodies that possess forestry expertise and are authoritative in this field.

Amendment 29
Article 8, paragraph 6

6. Detailed rules for the implementation of paragraphs 1 to 4 shall be laid down according to the procedure referred to in Article 17 (2).

6. Detailed rules for the implementation of paragraphs 1 to 4 shall be laid down according to the procedure referred to in Article 17 (2) ***taking into account the possibilities in existing national schemes and FAO Forest Resources Assessment (FRA) in place in the Member States in order to avoid extra administrative burden.***

Justification

Monitoring system that could give reliable data on EU wide forest biodiversity and other areas referred to in Article 1 points a) to c) would need to have so many observation points that the cost of such a system would not be reasonable. A cost efficient approach would be strengthening the existing national systems and to harmonise them. This has been the approach of FAO Forest Resources Assessment (FRA) process since 1947. These possibilities should be used in the implementation.

Amendment 30
Article 9

1. The Commission shall co-ordinate, monitor and develop the scheme and shall report on it.

1. The Commission shall, ***in close cooperation with the Member States***, co-ordinate, monitor and develop the scheme and shall report on it, ***via the Standing Forestry Committee.***

2. The Commission shall assess data at Community level ***and shall ensure the evaluation of the collected data and information at Community level.***

2. The Commission, ***in close cooperation with the Member States***, shall assess data at Community level, ***pursuant to Article 15.***

3. To fulfil the tasks laid down in paragraphs 1 and 2, the Commission shall ***establish a Scientific Co-ordination Body, which may be within the Joint Research Centre, which may be supported by decentralised thematic centres.***

3. To fulfil the tasks laid down in paragraphs 1 and 2, the Commission shall be assisted by the European Environmental Agency.

To fulfil its reporting tasks laid down in paragraph 1 the Commission shall be

Deleted

assisted by the European Environmental Agency.

4. The Commission may consult and contract research institutes and experts to develop the scheme and to ensure the evaluation of the data gathered, as well as the publication of results from data evaluations.

4. The Commission may, ***with the approval of the Standing Forestry Committee***, consult and contract research institutes and experts ***selected by means of a tender procedure, taking into account the different types of forest ecosystems within the European Union*** to develop the scheme and to ensure the evaluation of the data gathered, as well as the publication of results from data evaluations.

Justification

In the interests of subsidiarity the Commission should not take decisions unilaterally but, rather, in cooperation with the Member States. Such cooperation should be practised via the Standing Forestry Committee.

Since the Standing Forestry Committee is responsible for implementing the regulation, the Advisory Scientific Committee which is to be set up will assist not only the Commission but also the Standing Forestry Committee in preparing the work. However, the Joint Research Centre should also cooperate with the Advisory Scientific Committee, for which purpose a coordinator will be appointed.

The Commission will still be free to engage the services of experts, though not always ones from the same regions in order to prevent the findings for one region from being extrapolated to fit other regions.

Implementation of the entire scheme will be left to the Standing Forestry Committee.

This Community system should fall within the competence of the European Environmental Agency, and there is therefore no reason to establish a coordination body, given that knowledge, experience and organisation are already available for use through the EEA.

In order to ensure a high degree of objectivity in the selection of experts and research bodies, a tender procedure is required.

Amendment 31 **Article 9, paragraph 4 a (new)**

4a. The Commission shall decide on measures as referred to in paragraphs 1 to 4 together with the Member States and with the approval of the Standing Forestry

Committee.

Justification

The clarity of the text will be enhanced if the Member States and the Standing Forestry Committee are not mentioned separately in each paragraph but referred to in a separate paragraph.

Amendment 32

Article 9, paragraph 4 a and b (new)

4a. In order to be able to report on the scheme as required under paragraph 1, the Commission shall seek the assistance of the European Environmental Agency.

4b. Detailed rules for the implementation of paragraph 3 shall be laid down pursuant to the procedure referred to in Article 17(2).

Justification

In the interests of subsidiarity the Commission should not take decisions unilaterally but, rather, in cooperation with the Member States. Such cooperation should be practised via the Standing Forestry Committee.

Since the Standing Forestry Committee is responsible for implementing the regulation, the Advisory Scientific Committee which is to be set up will assist not only the Commission but also the Standing Forestry Committee in preparing the work. However, the Joint Research Centre should also cooperate with the Advisory Scientific Committee, for which purpose a coordinator will be appointed.

The Commission will still be free to engage the services of experts, though not always ones from the same regions in order to prevent the findings for one region from being extrapolated to fit other regions.

Implementation of the entire scheme will be left to the Standing Forestry Committee.

Amendment 33

Article 11, paragraph 1

1. The Commission shall co-operate, in

1. The Commission ***and the Member***

particular with regard to the objectives set out in Article 1, with other bodies at an international or pan-European level to meet the Community's obligations for the protection and sustainable management of forests.

States shall co-operate, in particular with regard to the objectives set out in Article 1, with other bodies at an international or pan-European level to meet the Community's obligations for the protection and sustainable management of forests.

Justification

This amendment follows the same line of thinking as the preceding amendments.

Amendment 34 Article 12, paragraph 3

3. The Commission shall pay the Community contribution to the eligible costs to the Member States.

3. The Commission shall pay the Community contribution to the eligible costs to the Member States. ***When allocating the financial resources it shall award particular attention to the continuity of the programmes referred to in points 2a and 2b.***

Justification

The introduction of new supplementary actions is to be welcomed, but these new actions should not in any way have detract from those which have so far been initiated.

Amendment 35 article 13

1. The financial **resources** for the implementation of the scheme for the period 2003-2006 shall be **52** million EURO. Thereafter, for the period 2007-2008, this **annual** amount **of 13 million EURO** may be increased, subject to an authorisation by the budgetary authority.

2. The financial resources fixed in paragraph 1 shall be increased in the case

1. The financial **framework** for the implementation of the scheme for the period 2003-2006 shall be **67** million EURO ***on condition that the Budgetary Authority agree the appropriate means of financing under the annual procedure and the Financial Perspective.*** Thereafter, for the period 2007-2008, this amount ***will be*** increased, subject to an authorisation by the budgetary authority ***in order to cover the costs of new actions not yet implemented***

2. The financial resources fixed in paragraph 1 shall be increased

of accession of new **Member** States to the Union.

3. Annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspectives.

proportionately in the case of accession of new States to the '***programme***', and a ***corresponding adjustment of the financial ceiling without reducing the resources allocated to the present Member States***

3. Annual appropriations shall be authorised by the budgetary authority within ***the annual budgetary procedure*** and the limits of the financial perspectives.

Justification

The existing financial perspective is valid until 2006. Future financing of Community programmes, from 2007 and onwards, should be decided once the new overall financial resources have been decided. In consequence, the financial amounts beyond 2006 will have to be confirmed either by an agreement on a new financial perspective and/or by annual budgetary decisions.

There should be a guarantee of equal treatment for the new Member States, meaning that the cofinancing of their networks must be taken into account.

The networks cost fixed amounts which are proportional to the number of measuring points. The accession of new Member States will entail an increase in the number of these measuring points proportionate to the forested areas in those States. Expenditure on these new measuring points cannot be deducted from expenditure on existing ones.

Self-explanatory.

Amendment 36 Article 15, paragraph 1, subparagraph 2

The data shall be geo-referenced and transmitted to the Commission by means of computer telecommunications and/or electronic technology. The Commission shall establish the format and particulars needed for the transmission.

The data shall be geo-referenced and transmitted to the Commission by means of computer telecommunications and/or electronic technology. The Commission shall, ***in close collaboration with the Member States***, establish the format and particulars needed for the transmission.

Justification

The justification for this amendment lies in the amendment itself.

Amendment 37
Article 15, paragraph 2

2. The Member States shall actively disseminate the data gathered ***according to common formats and standards and*** through electronic geo-referenced databases that are ***easily accessible to the public.***

2. The Member States shall actively disseminate the data gathered through electronic geo-referenced databases that are ***administered in accordance with the principles of the Aarhus Convention and the Community rules on access to environmental information.***

Justification

The regulation should refer to the current legislation governing this area.

Amendment 38
Article 15, paragraph 3

3. The Commission's right to use and disseminate the data gathered shall not be restricted in order to promote the evaluation of the data and to obtain the highest added value from the use of the data, in accordance with the Aarhus convention.

3. The Commission's right to use and disseminate the data gathered shall not be restricted in order to promote the evaluation of the data and to obtain the highest added value from the use of the data, in accordance with the Aarhus Convention ***and the Community rules on access to environmental information.***

Justification

Exactly the same as for the amendment to Article 15(2).

Amendment 39
Article 16, paragraph 3, first subparagraph

3. Each Member State shall draw up a report on the national situation regarding matters dealt with by monitoring activities referred to in Article 6(3).

3. Each Member State shall draw up a report on the national situation regarding matters dealt with by monitoring activities referred to in Article 6(3), ***once these have been finalised.***

Justification

New monitoring activities can only be incorporated into the national programmes once they have been developed. They will therefore have to be duly defined and orchestrated beforehand.

Amendment 40
Article 17, paragraph 2

2. Where reference is made to the present paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

2. Where reference is made to the present paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

Justification

The Standing Forestry Committee should take the form of a regulatory committee so that the emphasis is placed on subsidiarity.

Amendment 41
Article 17

3. The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at two months.

Delete

Justification

Amendment 42
Article 18

Six months from the date set for the transmission of the reports referred to in Article 16(1) and taking into account all reports transmitted pursuant to Article 16, the Commission assisted by the European Environment Agency, shall submit a report on the implementation of the scheme to the European Parliament and the Council

Six months from the date set for the transmission of the reports referred to in Article 16(1) and taking into account all reports transmitted pursuant to Article 16, the Commission assisted by the European Environment Agency, shall submit a report on the implementation of the scheme to the European Parliament and the Council

together with a review of the scheme (mid-term review).

together with a ***proposal for a*** review of the scheme (mid-term review). ***This review shall focus on:***

- ***the experience with the new modules related to biodiversity, effects on climate change and soils;***

Justification

When preparing the mid-term review of the regulation, the Commission should focus on the experience with the new modules, and the experience of financing forest fire prevention measures through other policy means.

Amendment 43 Article 20, point (b) a (new)

(ba) other European countries, optionally, at their own expense.

Justification

Self-explanatory.

EXPLANATORY STATEMENT

The European Commission has brought forward a proposal for a new Community scheme for monitoring forest and environmental interactions by way of simplifying and combining in a single text the two current regulations dealing with the protection of forests against pollution and fire (Regulations (EEC) No 3528/86 and (EEC) No 2158/92). The proposal also provides for monitoring of new actions relating to biodiversity, climate change and carbon sequestration, with a view to addressing all areas relating to the environment and forests, in line with the priorities set in the sixth environmental action programme and the strategy for sustainable development.

Your rapporteur welcomes the Commission proposal since it provides for continuity with the monitoring carried out in the past. Such monitoring is necessary if the measures used to combat all the factors which contribute to the degradation of forests are to be improved. While welcoming the introduction of new actions to supplement the existing range of actions, your rapporteur maintains that these new actions should not in any way detract from the actions undertaken to date.

This report suggests ways of overcoming the major drawbacks contained in the Commission proposal, prime among which is the absence of subsidiarity, which runs contrary to European forest strategy itself. The proposal has the Member States playing a subordinate role to the European Commission, despite the fact that the success of previous actions lay in the close contacts established between the Member States and the European institutions. There is therefore a need to enhance the remit of the EU Standing Forestry Committee, which should be a regulatory committee rather than a management committee as it is now.

Moreover, the definition of what constitutes a forest does not take into account the various definitions applied at national level. It would be more appropriate to follow the FAO definition, which can be tailored to each of the Member States.

With a view to the financing of the new scheme, your rapporteur also supports the maintenance of the annual fund established in the previous regulations, and also calls for financial guarantees to cover the cost of the new actions and the additional expenditure entailed by the accession of new Member States to the European Union.

The Commission's proposal does not cover the forest fire prevention measures introduced by Regulation (EEC) No 2158/92, which means that actions not covered under Regulation (EC) No 1257/1999 on Rural Development, in the context of Agenda 2000, would lapse. The proposed financing of the new 'Forest Focus' regulation would in practice result in an increase in the resources devoted to monitoring the interaction of forests and the environment by way of the exclusion of forest fire prevention measures. However, the down side of this would be a decrease in real terms of European Union funding for such measures. Your rapporteur believes that the monitoring activities would lose much of their meaning if they were to detract from the actions implemented on the ground.

Finally, your rapporteur is in favour of providing a spur to the European Forestry Information

and Communication System (EFICS), whose poor operationalisation is mainly due to a lack of resources. EFICS should play a fundamental role in changing the attitude and raising the awareness of the general public with regard to the protection of European forests, which are a precious natural asset. This would also allow the root causes of specific phenomenon, such as forest fires, to be addressed.

ANNEX

Financial statement by the Committee on the Environment, Public Health and Consumer Policy, annexed to its report on the Monitoring of Forests and environmental interactions in the Community (Forest Focus)

Policy area(s): Environment

Activit(y/ies): Natural Resources and Biodiversity – Forests

Title of action: Monitoring Forest and Environmental Interactions - FOREST FOCUS

1. BUDGET LINE(S) + HEADING(S)

B4-303: Protection des Forets

2. OVERALL FIGURES

2.1. Total allocation for action (Part B): 90 € million for commitment

2.2. Period of application:

(2003 - 2008)

2.3. Overall multiannual estimate of expenditure:

(a) Schedule of commitment appropriations/payment appropriations (financial intervention) *(see point 6.1.1)*

€ million *(to three decimal places)*

	Year [n]	[n+1]	[n+2]	[n+3]	[n+4]	[n+5 and subs. Years]	Total
Commitments	9.90	10.80	10.40	10.70	10.61	10.59	63.0
Payments	8.00	8.50	9.50	10.50	11.50	15.00	63.0

(b) Technical and administrative assistance and support expenditure *(see point 6.1.2)*

CE/CP	3.10	2.20	2.60	2.30	2.39	2.41	15.00
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Subtotal a+b							
Commitments	13.00	18.00	18.00	18.00			67.00
Payments	10	11	11	12	12	11	67.00

- (c) Overall financial impact of human resources and other administrative expenditure
(see points 7.2 and 7.3)

Commitments	0.677	0.677	0.677	0.677			2.708
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TOTAL a+b+c							82.063
Commitments	13.677	18.677	18.677	18.677			69.708
Payments	10.677	11.677	11.667	12.677	12	11	69.708

9 December 2002

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on the Environment, Public Health and Consumer Policy

on the proposal for a European Parliament and Council Regulation concerning monitoring of forests and environmental interactions in the Community (Forest Focus)
(COM(2002) 404 – C5-0351/2002 – 2002/0164(COD))

Draftsman: Kyösti Tapio Virrankoski

PROCEDURE

The Committee on Budgets appointed Kyösti Tapio Virrankoski draftsman at its meeting of 12 September 2002.

It considered the draft opinion at its meeting of 9 December 2002.

At this meeting it adopted the following amendments unanimously.

The following were present for the vote: Terence Wynn chairman; Anne Elisabet Jensen vice-chairman; Kyösti Tapio Virrankoski draftsman; Ioannis Averoff, Joan Colom i Naval, Den Dover, Bárbara Dührkop Dührkop, James E.M. Elles, Göran Färm, Salvador Garriga Polledo, Neena Gill, Anne-Karin Glase (for Edward H.C. McMillan-Scott), Catherine Guy-Quint, Jutta D. Haug, Wilfried Kuckelkorn, Jan Mulder, Joaquim Píscarreta, Ralf Walter and Brigitte Wenzel-Perillo .

SHORT JUSTIFICATION

The Commission has put forward a proposal for a multi-annual regulation on monitoring the impact of atmospheric pollution and fires on forest ecosystems. The proposed duration is 2003 to 2008.

It should be noted that the proposed regulation integrates two previously separate ones, namely Council regulation 3528/1986 on protection of forests against pollution and Council regulation 2158/1992 on a framework against forest fires.

Both of these actions were up until now implemented under the agriculture section of the budget (title B2-5 Other Agricultural Measures). Following an internal agreement within the Commission, and a Ruling by the Court stating that the legal basis under the Treaty should be Article 175 Environment, responsibility for managing these programmes has been transferred to DG Environment and, consequently, a new budget line (B4-303 Protection of forests) was proposed when the preliminary budget for 2003 was presented.

Although the nomenclature has changed there is no change in the heading of the Financial Perspective covering this action, since both "Other Agricultural Measures" and Environment are covered by heading 3.

The financial framework proposed is € 52 million for the period 2003-2006.

Thereafter (2007-2008), it is proposed that "this annual amount of € 13 million may be increased, subject to authorisation by the budgetary authority". The draftsman feels that this text needs to be modified so as to also make a link between the financial amounts after 2006 and the evaluation and mid-term review of the programme (to be presented in 2005).

The Commission's indicative programming of the amounts is presented below.

€ million (line B4-303 Protection of Forests, including administrative management "BA-line")

	2003	2004	2005	2006	2007	2008	Total
Commitments	13.00	13.00	13.00	13.00	13.00	13.00	78.00
Payments	11.10	10.70	12.10	12.80	13.89	17.41	78.00

The draftsman notes that the proposed figures are below the financial allocation for 2002. However, the reason for this is that two current actions will be financed under different lines: an information system for forest fires under B4-308, Civil Protection, and certain prevention measures for forest fires will remain with DG Agriculture under the Rural Development chapter, line B1-4071.

The draftsman also notes that the legislative decision for the duration of the regulation will go two years beyond the duration of the Financial Perspective.

The EP has made room for the levels of funding proposed by the Commission in the 2003 budget (subject to final adoption in second reading) but the margin in heading 3 is practically

non-existent and, consequently, any increases that may be proposed in the course of the legislative procedure would lead to reductions for other programmes.

The draftsman would highlight the fact that, according to the common declaration of 20 July 2000, new programmes should not jeopardise the financing of existing actions, nor limit the powers of the budgetary authority within the annual procedure, including the EP's priorities reflected in pilot projects and preparatory actions.

The proposal contains a provision that the Commission shall establish a *Scientific Co-ordination Body* to organise the collection and assessment of data. In addition, the Commission will be assisted in certain tasks by the *European Environment Agency* in Copenhagen. It should be clarified how these arrangements work and, in particular, any duplication of structures/tasks should be avoided.

In conclusion, the draftsman considers that:

- the Commission proposal, as it stands, is compatible with the financial ceiling of heading 3 without restricting other policies
- any increases proposed in the legislative procedure could lead to a reduction of other policies.
- the financial amounts beyond 2006 will have to be confirmed either by annual budgetary decisions or by agreement on a new financial perspective (without therefore affecting the legislative decision for this regulation)
- the financial amounts beyond 2006 shall be linked to the performance of the programme and its mid-term evaluation

AMENDMENTS

The Committee on Budgets calls on the Committee on the Environment, Public Health and Consumer Policy, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

AMENDMENT TO THE LEGISLATIVE RESOLUTION

[The European Parliament]

Considers that the financial statement of the Commission proposal is compatible with the ceiling of heading 3 of the Financial Perspective without restricting other policies

Justification:

The financial statement of this programme entails expenditure under the ceiling of heading 3 of the FP. According to the common declaration of 20 July 2000, the budgetary authority is entitled to evaluate the compatibility of new proposals with the expenditure ceilings in place. The Budgets Committee, according to article 63a of the Rules of procedure, asks to be notified if the committee responsible amends the financial endowment of the act.

Text proposed by the Commission¹

Amendments by Parliament

Amendment 2
recital 15a (new)

Funding beyond 2006 shall be subject to approval by the budgetary authority and take into account the mid-term review of the programme

Justification

The existing financial perspective is valid until 2006. Future financing of Community programmes, from 2007 and onwards, should be decided once the new overall financial

¹ OJ C ##.

resources have been decided. In consequence, the financial amounts beyond 2006 will have to be confirmed either by an agreement on a new financial perspective and/or by annual budgetary decisions.

Amendment 3
recital 17

The financial contribution to eligible costs of the activities under the scheme should support harmonised data collection and promote the further development of the scheme. During the initial phase, financial resources will mainly be assigned for the continuation of the monitoring activities established under Regulations (EEC) No 3528/86 and (EEC) No 2158/92. The scheme should, in the future, provide for **additional** necessary financial contribution for newly defined monitoring activities.

The financial contribution to eligible costs of the activities under the scheme should support harmonised data collection and promote the further development of the scheme. During the initial phase, financial resources will mainly be assigned for the continuation of the monitoring activities established under Regulations (EEC) No 3528/86 and (EEC) No 2158/92. The scheme should, in the future, provide for necessary financial contribution for newly defined monitoring activities.

Justification

The word 'additional' is not appropriate since the financial contributions to newly defined monitoring activities will have to be covered by the same financial framework.

Amendment 4
article 9 (3)

To fulfil the tasks laid down in paragraphs 1 and 2, the Commission shall establish a Scientific Co-ordination Body, which may be within the Joint Research Centre, which may be supported by decentralised thematic centres.

To fulfil its reporting tasks laid down in paragraph 1 the Commission shall be assisted by the European Environmental Agency.

To fulfil the tasks laid down in paragraphs 1 and 2, the Commission shall establish a Scientific Co-ordination Body, which may be within the Joint Research Centre, which may be supported by decentralised thematic centres.

To fulfil its reporting tasks laid down in paragraph 1 the Commission shall be assisted by the European Environmental Agency *with regard to tasks covered by the multiannual work programme of the Agency.*

Justification

The tasks of the Agencies would have to be covered by the established work-programme.

Amendment 5
article 13

1. The financial **resources** for the implementation of the scheme for the period 2003-2006 shall be 52 million EURO. Thereafter, for the period 2007-2008, **this annual amount of 13 million EURO** may be **increased**, subject to an authorisation by the budgetary authority.

2. The financial resources fixed in paragraph 1 shall be increased in the case of accession of new Member States to the Union.

3. Annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspectives.

1. The financial **framework** for the implementation of the scheme for the period 2003-2006 shall be 52 million EURO. Thereafter, for the period 2007-2008, **the amount may be modified**, subject to an authorisation by the budgetary authority **and taking into account the mid-term review of the programme**

2. The financial resources fixed in paragraph 1 shall be increased in the case of accession of new Member States to the Union **and a corresponding adjustment of the financial ceiling**

3. Annual appropriations shall be authorised by the budgetary authority within **the annual budgetary procedure and** the limits of the financial perspectives.

Justification

The existing financial perspective is valid until 2006. Future financing of Community programmes, from 2007 and onwards, should be decided once the new overall financial resources have been decided. In consequence, the financial amounts beyond 2006 will have to be confirmed either by an agreement on a new financial perspective and/or by annual budgetary decisions.

Amendment 6 article 17

1. The Standing Forestry Committee set up by Council Decision 89/367/EEC shall assist the Commission.

2. Where reference is made to the present paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3. ***The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at two months.***

1. The Standing Forestry Committee set up by Council Decision 89/367/EEC shall assist the Commission.

2. Where reference is made to the present paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

Delete

Justification

In order to reduce administrative procedures and facilitate effective implementation, the draftsman feels that the budget committee's traditional approach on comitology should apply. The advisory procedure is therefore recommended. Paragraph 3 is deleted since it does not apply to this procedure.

4 December 2002

OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT

for the Committee on the Environment, Public Health and Consumer Policy

on the proposal for a European Parliament and Council regulation concerning monitoring of forests and environmental interactions in the Community (Forest Focus)
(COM(2002) 404 – C5-0351/2002 – 2002/0164 (COD))

Draftsman: Mikko Pesälä

PROCEDURE

The Committee on Agriculture and Rural Development appointed Mikko Pesälä draftsman at its meeting of 11 September 2002.

It considered the draft opinion at its meetings of 2 October 2002, 4 November 2002 and 3 December 2002.

At the last meeting it adopted the following amendments unanimously.

The following were present for the vote: Joseph Daul, chairman; Friedrich-Wilhelm Graefe zu Baringdorf, Albert Jan Maat and María Rodríguez Ramos, vice-chairmen; Mikko Pesälä, draftsman; Gordon J. Adam, Danielle Auroi, Sergio Berlato, Niels Busk, Arlindo Cunha, Christel Fiebiger, Ilda Figueiredo (for Dimitrios Koulourianos), Georges Garot, Lutz Goepel, Willi Görlach, Liam Hyland, Elisabeth Jeggle, Salvador Jové Peres, Hedwig Keppelhoff-Wiechert, Heinz Kindermann, Wolfgang Kreissl-Dörfler (for Vincenzo Lavarra), Véronique Mathieu, Xaver Mayer, Encarnación Redondo Jiménez, Agnes Schierhuber and Dominique F.C. Souchet.

SHORT JUSTIFICATION

The purpose of the Commission's proposal for a regulation is the establishment of a new Community scheme on monitoring of forests and environmental interactions to protect the Community's forests. The scheme will be based on two earlier regulations concerning the impact of atmospheric pollution and forest fires on forest ecosystems.

The Commission proposes broadening the scope of the regulation in order to assess forest ecosystem conditions in a broader context. As a first, it also proposes introducing measures to monitor forest biodiversity, soils, climate change and carbon sequestration. It proposes that Article 175 of the EC Treaty should be the sole legal basis for the regulation.

The draftsman supports the idea of continuing and further developing the measures provided for in the two old regulations concerning protecting forests against atmospheric pollution and combating forest fires. On the subject of monitoring forest fires, account should be taken not only of environmental aspects but also of the economic damage caused by forest fires, the cost of fire-fighting and rescue work and safety aspects. On the other hand, the draftsman has reservations about broadening the scope of the regulation. It is not a sensible idea to create a new, overlapping and extremely expensive system at EU level with unrealistic aims regarding the monitoring of forest biodiversity.

The draftsman recalls that the EU does not have a common forestry policy. The point of departure of the Council resolution of 1998 on the forestry strategy is the subsidiarity principle. This means that it is up to national forestry programmes and policies to provide for the sustainable management and use of forests. The sixth environmental action programme of the European Community is likewise based on the premise that, in carrying out and developing strategies and measures relating to forests, account should continue to be taken of the European Union's forestry strategy and the subsidiarity principle.

The draftsman considers that, firstly, any new measures should be based on a consideration of Member States' own needs and, secondly, the measures should be coordinated with existing international forest monitoring measures. In addition, biodiversity monitoring should allow for the fact that the structures of ecosystems and species vary between countries and regions.

The European Union and its Member States have committed themselves to promoting the sustainable management and use of forests in many international and pan-European processes relating to forests. The forestry industries must operate in an ecologically, economically and socially sustainable manner. This must also be taken into account in planning the monitoring scheme. The Commission proposal concentrates only on the ecological aspect of sustainability. The draftsman does not consider that it would be possible for such monitoring to create a basis for new policy decisions, particularly because the EU is not directly competent with regard to policies on forests.

Gathering data for ecological use alone would require so many observation areas that the cost of the monitoring system would become excessive. The most cost-effective and reliable way of gathering information about biodiversity is by developing national data gathering systems which already exist. The Forest Resource Assessment process, which has been operating under the auspices of the FAO since 1947, is seeking to do this.

The EU Member States already have an obligation under many national and international agreements and survey projects to gather data about biodiversity under their own biodiversity programmes. These include national forest inventory schemes, a pan-European process and, for example, the UN Biodiversity Convention. The monitoring system also cannot replace or even overlap with official reporting which Member States are required to carry out with regard to greenhouse gases and carbon sinks under other agreements and Community legislation.

The draftsman considers that the role of the Standing Forestry Committee in implementing and developing the monitoring system should be emphasised.

The proposal for a regulation states that the Commission's right to use and disseminate the data gathered shall not be restricted. The proposal for a regulation ought to indicate more clearly that the data may be published and made available to the public only insofar as the rules on the dissemination of data and their confidentiality do not preclude this.

AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Consumer Policy, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission ¹	Amendments by Parliament
Amendment 1 Recital 1	
(1) Forests have an important multifunctional role for society. Apart from their significant role in the development of rural areas, forests have a major value for nature conservation, play an important role in preserving the environment, are key elements of the carbon cycle and significant carbon sinks and represent a critical controlling factor of the hydrological cycle.	(1) Forests have an important multifunctional role for society. Apart from their significant role in the development of rural areas, <i>the existence of which may depend in large measure on the presence and good condition of the surrounding forest</i> , forests have a major value for nature conservation, play an important role in preserving the environment, are key elements of the carbon cycle and significant carbon sinks and represent a critical controlling factor of the hydrological cycle.

Justification

There are local agricultural economies which are based exclusively on diverse and well-

¹ OJ C xxxx.

balanced exploitation of the neighbouring forest.

Amendment 2
Recital 2 a (new)

(2a) The guiding principle of the Community's contribution to reducing the number and size of fires should be the need to tackle the causes of fires and the provision of preventive measures to combat fires and of forest surveillance measures.

Justification

This amendment seeks to highlight the major problem of environmental damage caused by fires.

Amendment 3
Recital 2 b (new)

(2b) The protection of forests against fires is a matter of particular importance and urgency for the Community, which should coordinate its Member States' efforts and maximise its contribution thereto in order to enhance those efforts.

Justification

This amendment seeks to highlight the major problem of environmental damage caused by fires.

Amendment 4
Recital 9 a (new)

(9a) Account should be taken of the ecological richness and diversity of forest ecosystems in the outermost regions of the European Union and the desirability of adopting specific measures in environmental policy.

Justification

The special ecological features of forest ecosystems in the various outermost regions of the European Union, which form part of a number of biogeographical regions recognised by the IUCN (International Union for Conservation of Nature) should be the subject of special measures designed to establish Community systems in the field of forestry, in line with the approach enshrined in Article 299(2) of the EC Treaty as regards the application of Community provisions under the CAP.

Amendment 5

Article 1

A Community scheme for broad based, harmonised and comprehensive, long-term monitoring of ***forest ecosystems conditions***, (hereinafter referred to as "the scheme") is hereby established ***to encourage the implementation of monitoring activities, in particular in the following areas:***

- (a) monitoring ***and protection of forests against atmospheric pollution;***
- (b) monitoring and ***protection of forests against*** fires;
- (c) monitoring of biodiversity, climate change, carbon sequestration and soils;
- (d) continuous evaluation of the efficiency of the monitoring activities in the assessment of ***forest ecosystems conditions*** and the further development of monitoring activity.

1. A Community scheme for broad based, harmonised and comprehensive, long-term monitoring of ***the condition of forests*** (hereinafter referred to as "the scheme") is hereby established, ***whilst respecting the specific ecological characteristics found in the outermost regions of the European Union:***

- (a) monitoring ***of air pollution effects and of other agents and factors that impact upon forests, such as biotic and abiotic factors and factors of anthropogenic origin;***
- (b) monitoring ***of forest fires and causes of forest fires, with the aid of preventive measures and actions;***
- (c) monitoring of biodiversity, climate change, carbon sequestration and soils, ***in which connection the need for monitoring to be increased in each Member State shall be assessed, as shall the cost-effectiveness of any possible measures, appropriate monitoring procedures and the scope for coordinating them with other monitoring systems, both existing and planned;***
- (d) Continuous evaluation of the efficiency of the monitoring activities in the assessment of ***the condition of forests*** and the further development of monitoring activity, ***at both Community***

The scheme shall provide reliable and comparable data and information on forest ecosystems conditions and harmful influences affecting the Community's forest ecosystems. It shall also help to *evaluate ongoing Community measures to promote conservation and sustainable management of forests, with particular emphasis on actions taken to reduce impacts negatively affecting forest ecosystems.*

and cross-border level.

The scheme shall provide reliable and comparable data and information on forest ecosystems conditions and harmful influences affecting the Community's forest ecosystems. It shall also help to *carry out and further develop strategies and measures relating to forests in accordance with the European Union's forestry strategy and taking account of the subsidiarity principle. In this connection, account shall be taken of existing national, European and global systems.*

2. Where reference is made to forests in this Regulation, Member States may include other wooded land. Where reference is made to forests in the context of forest fires in this Regulation, Member States may in addition include other land.

Justification

There is no justification for expanding the scope of the regulation to include monitoring biodiversity without any clear consideration of needs and without taking account of Member States' existing systems. Appropriate and cost-effective measures should be coordinated with existing systems, taking account of the EU's competence in the field of forestry and in accordance with the subsidiarity principle and the forestry strategy. Measures to promote sustainable management and use of forests are taken at national level.

The modifications to this article correspond to the definitions of FAO and are better suited to the realities of the Member States.

Amendment 6

Article 2, paragraph 1, subparagraphs (f), (fa), (fb) and (g)

(f) study the dynamics of forest fires and their impacts on forest ecosystems;

(f) study the dynamics of forest fires and their *ecological and economic* impacts on forest ecosystems, *as well as safety aspects*;

(fa) set up or improve prevention schemes, in particular to set up protective infrastructure such as forest roads, tracks, water supply points, fire safety zones, areas cleared of undergrowth, and

(g) *develop indicators and methodologies for cumulative risk assessment.*

ditches, to draw up measures to maintain the fire safety zones, the cleared areas and the ditches, and preventive forestry measures, implemented within the framework of a global strategy for the protection of forests against fire;
(fb) *launch information and awareness campaigns;*

(g) *develop research into causal relationships with regard to the impact of atmospheric pollution.*

Justification

The impact of forest fires should be studied broadly. The development of indicators should be based on the specific conditions prevailing in the country concerned. On the other hand, research into causal relationships can be performed at EU level.

Preventing fires is preferable to fighting them.

Amendment 7 *Article 3*

1. For the purpose of this regulation, the following definitions shall apply:
 - (a) ***“Forest ecosystems” means “forest” being*** land with tree crown cover (or equivalent stocking level) of more than 10 percent and area of more than .5 ha., ***the trees being*** able to reach a minimum of 5m. at maturity in situ, ***and “other wooded land” being land either with a tree crown cover (or equivalent stocking level) of 5 to 10 percent of trees able to reach a height of 5 m. at maturity in situ; or land with a crown cover (or equivalent stocking level) of more than 10 percent of trees not able to reach a height of 5 m at maturity in situ (e.g. dwarf or stunted trees) or shrub or bush cover;***

1. For the purpose of this regulation, the following definitions shall apply:
 - (a) ***“Forest” means*** land with tree crown cover (or equivalent stocking level) of more than 10 percent and area of more than 0.5 ha. ***The trees should be*** able to reach a minimum height of 5 m at maturity in situ. ***May consist either of closed forest formations where trees of various storeys and undergrowth cover a high proportion of the ground; or of open forest formations with a continuous vegetation cover in which tree crown cover exceeds 10 percent. Young natural stands and all plantations established for forestry purposes which have yet to reach a crown density of 10 percent or tree height of 5m are included under forest, as are areas normally forming part of the forest area which are temporarily unstocked as a result of human***

*intervention or natural causes but which are expected to revert to forest;*¹

(b) ***"Ecosystem" means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit"***;

(b) ***"Other wooded land" means land either with a tree crown cover (or equivalent stocking level) of 5-10 percent of trees able to reach a height of 5 m at maturity in situ; or a crown cover (or equivalent stocking level) of more than 10 percent of trees not able to reach a height of 5 m at maturity in situ (e.g. dwarf or stunted trees) and shrub or bush cover;***²

(ba) ***"Other land" means land not classified as forest or other wooded land as they are defined in this regulation, but which nonetheless has been included in forest fire statistics according to national law. Such land may include heathland, waste land or agricultural land adjoining or enclosed by forest land;***

(bb) ***"Forest fire" means fire which breaks out and spreads on forest and other wooded land or which breaks out on other land and spreads to forest and other wooded land;***³

(c) ***"Development of the scheme" means the elaboration and establishment of new monitoring activities;***

(c) ***"Development of the scheme" means the elaboration, testing on a pilot basis with interested Member States and establishment of new monitoring activities;***

(d) ***"Improvement of the scheme" means the optimisation of monitoring activities already implemented.***

(d) ***"Improvement of the scheme" means the optimisation of monitoring activities already implemented;***

(da) ***"Geo-referenced" means a reference to a specific geographic area within which data or other information is gathered. The area referred to may be larger than the***

¹ ***Includes:*** Forest nurseries and seed orchards that constitute an integral part of the forest; forest roads, cleared tracts, firebreaks and other small open areas within the forest; forest in national parks, nature reserves and other protected areas such as those of special environmental, scientific, historical, cultural or spiritual interest; windbreaks and shelterbelts of trees with an area of more than 0.5 ha and a width of more than 20 m. Rubberwood plantations and cork oak stands are included.
Excludes: Land predominantly used for agricultural practices.

² ***Excludes:*** Areas having the tree, shrub or bush cover specified above but of less than 0.5 ha and width of 20 m, which are classed under "other land" ; Land predominantly used for agricultural practices."

³ ***Excludes:*** Prescribed or controlled burning, usually with the purpose of reducing or eliminating the quantity of accumulated fuel on the ground."

area or point from which the data/information is gathered, for example in order to ensure anonymity as regards the source of gathered data/information.

2. *Forest as referred to in paragraph 1 (a) may consist either of closed forest formations where trees of various storeys and undergrowth cover a high proportion of the ground; or of open forest formations with a continuous vegetation cover in which tree crown cover exceeds 10 percent. Young natural stands and all plantations established for forestry purposes which have yet to reach a crown density of 10 percent or tree height of 5m are included under forest, as are areas normally forming part of the forest area which are temporarily unstocked as a result of human intervention or natural causes, but which are expected to revert to forest.*

Deleted

Justification

The modifications to this article correspond to the definitions of FAO and are better suited to the realities of the Member States.

Amendment 8
Article 5, paragraph 1

1. Building on the achievements of Regulation (EEC) N° 2158/92, the scheme shall continue and further develop an information system in order to collect comparable information on forest fires at Community level.

1. Building on the achievements of Regulation (EEC) N° 2158/92, the scheme shall continue and further develop an information system in order to collect comparable information on forest fires at Community level ***and at cross-border level, principally in countries bordering the Member States of the European Union.***

Justification

Fires are very often 'imported'.

Amendment 9
Article 6

1. For the realisation of the aims set out in Article 1(c), the Commission shall conduct studies, experiments and demonstration projects to further develop the scheme and, in particular to:

- (a) enhance the knowledge of forest ecosystems conditions as well as the relationship between forest ecosystems conditions and natural and anthropogenic stresses;
- (b) assess impacts of climate change on forest ecosystems, including forest biodiversity;
- (c) identify key structural and functional ecosystems elements to be used as indicators for assessing status and trends of forest ecosystems biodiversity;
- (d) study the interactions between forests and the environment.**

2. Based on the findings of the measures set out in paragraph 1, the Commission may *ask* Member States *to* carry out studies, *experiments, demonstration projects* or a monitoring test phase.

3. The measures set out in paragraphs 1 and 2 shall help to define new monitoring activities, to be incorporated into the scheme after the approval of appropriate manuals. When developing the scheme, the Commission shall take account of scientific as well as financial needs and restrictions.

4. The detailed rules for the implementation of paragraphs 1, 2 and 3 shall be laid down in accordance with the procedure referred to in Article 17 (2).

1. For the realisation of the aims set out in Article 1(c), the Commission, ***jointly with the Member States***, shall conduct studies, experiments and demonstration projects to further develop the scheme, ***at both Community and cross-border level***, and, in particular to:

- (a) enhance the knowledge of forest ecosystems conditions as well as the relationship between forest ecosystems conditions and natural and anthropogenic stresses;
- (b) assess impacts of climate change on forest ecosystems, including forest biodiversity;
- (c) identify key structural and functional ecosystems elements to be used as indicators for assessing status and trends of forest ecosystems biodiversity;

Deleted

2. Based on the findings of the measures set out in paragraph 1, the Commission may ***propose to the Standing Forestry Committee that*** Member States carry out studies or a monitoring test phase. ***It shall be optional for a Member State to initiate a measure.***

3. The measures set out in paragraphs 1 and 2 shall help to define new ***optional*** monitoring activities, to be incorporated into the scheme after the approval of appropriate manuals. When developing the scheme, the Commission shall take account of scientific as well as financial needs and restrictions.

4. The detailed rules for the implementation of paragraphs 1, 2 and 3 shall be laid down in accordance with the procedure referred to in Article 17 (2).

4a. New monitoring measures and the timetables for their preparation shall be coordinated with the Commission's other initiatives and planned proposals to

***monitor biodiversity, climate change,
carbon sequestration and soil.***

Justification

Fires are very often 'imported'.

As the measures referred to in the article do not entirely accord with the EU's competence, and, in the form proposed by the Commission, are unrealistic in relation to the stated objectives, it would be better for the measures to be performed voluntarily and coordinated with global and national systems already under development and with the Commission's other proposals. Subparagraph (d) should be deleted, as measures to promote the sustainable management and use of forests are taken at national level.

Amendment 10
Article 8, paragraphs 2 and 3

2. The national programmes shall be submitted to the Commission within **30 days** following the entry into force of this Regulation and thereafter before 1 November in the year preceding the commencement date of each 3 year period.

3. Member States shall adapt their national programmes approved by the Commission, in particular in order to ***allow for the extension of the*** monitoring activity developed in accordance with Article 6.

2. The national programmes shall be submitted to the Commission within **60 days** following the entry into force of this Regulation and thereafter before 1 November in the year preceding the commencement date of each 3 year period.

3. Member States shall adapt their national programmes approved by the Commission, in particular in order to ***assess possible*** monitoring activity ***to be*** developed in accordance with Article 6 ***in the light of experience.***

Justification

The time limit of 30 days after the adoption of the regulation is an unrealistic target to set. Since the activities referred to in Article 6 are a new form of action, it is impossible to know in advance whether they will serve their purpose and their scope should consequently not be extended automatically under the scheme. Instead, Member States should decide how to turn their experiences to account.

Amendment 11
Article 9, paragraph 3

3. To fulfil the tasks laid down in paragraphs 1 and 2, the Commission shall establish a Scientific Co-ordination Body,

3. To fulfil the tasks laid down in paragraphs 1 and 2, the Commission shall establish a Scientific Co-ordination Body,

which may be within the Joint Research Centre, which may be supported by decentralised thematic centres.

within the Joint Research Centre, which may be supported by decentralised thematic centres.

Justification

Responsibility should certainly rest with a Scientific Coordination Body based within the Joint Research Centre. The intention is to guarantee that data gathered at national level cannot be misused.

Amendment 12
Article 9, paragraph 4

4. The Commission may consult and contract research institutes and experts to develop the scheme and to ensure the evaluation of the data gathered, as well as the publication of results from data evaluations.

4. The Commission may consult and contract research institutes and experts, ***appointed on the basis of a tender procedure***, to develop the scheme and to ensure the evaluation of the data gathered, as well as the publication of results from data evaluations.

Justification

A tender procedure is necessary in order to ensure a high degree of objectivity in the selection of research institutes and experts.

Amendment 13
Article 10, paragraph 1

1. To harmonise the activities referred to in Article 4 and 5 ***and Article 6(3)*** and to ensure the comparability of data, manuals shall specify mandatory parameters and lay down the monitoring methods as well as the data formats to be used for data transmission.

1. To harmonise the activities referred to in Article 4 and 5 and to ensure the comparability of data, manuals shall specify mandatory parameters and lay down the monitoring methods as well as the data formats to be used for data transmission.

Justification

The activities referred to in Article 6 do not fall within the EU's competence.

Amendment 14
Article 11, paragraph 1

1. The Commission shall co-operate, in particular with regard to the objectives set out in Article 1, with other bodies at an international or pan-European level to meet **the Community's** obligations for the protection **and sustainable management** of forests.

1. The Commission shall co-operate, in particular with regard to the objectives set out in Article 1, with other bodies at an international or pan-European level to meet **Member States'** obligations for the protection of forests.

Justification

Measures to promote sustainable management and use of forests are taken at national level.

Amendment 15
Article 13, paragraph 1

1. The financial resources for the implementation of the scheme for the period 2003-2006 shall be **52** million EURO. Thereafter, for the period 2007-2008, this annual amount of **13** million EURO may be increased, subject to an authorisation by the budgetary authority.

1. The financial resources for the implementation of the scheme for the period 2003-2006 shall be **72** million EURO. Thereafter, for the period 2007-2008, this annual amount of **18** million EURO, **which is intended to cover any new measures**, may be increased, subject to an authorisation by the budgetary authority.

Justification

In order to monitor the impact of air pollution on forests and on forest fires, to develop new monitoring activities and improve the programme, it is proposed to increase the annual amount provided from 13 to 18 million euro. Such an increase will enable the programme to be implemented more effectively together with any new measures which may have to be taken.

Amendment 16
Article 13, paragraph 2

2. The financial resources fixed in paragraph 1 shall be increased in the case of accession of new **Member States** to the **Union**.

2. The financial resources fixed in paragraph 1 shall be increased in the case of accession of new States to the **'programme', without reducing the resources allocated to the present Member States**.

Justification

Self-explanatory.

Amendment 17

Article 15, paragraph 1, subparagraph 1

1. The Member States shall annually, through the National Focal Centres, forward to the Scientific Co-ordination Body the data gathered under the scheme, together with a data accompanying report.

1. The Member States shall annually, through the National Focal Centres, forward to the Scientific Co-ordination Body, ***which shall be based within the Joint Research Centre***, the data gathered under the scheme, together with a data accompanying report.

Justification

Responsibility should certainly rest with a Scientific Coordination Body based within the Joint Research Centre. The intention is to guarantee that data gathered at national level cannot be misused.

Amendment 18

Article 15, paragraph 1, subparagraph 2, and paragraphs 2 and 3

The data shall be ***geo-referenced*** and transmitted to the Commission by means of computer telecommunications and/or electronic technology. The Commission shall establish the format and particulars needed for the transmission.

2. The Member States shall actively disseminate the data gathered according to common formats and standards and through electronic ***geo-referenced*** databases that are easily accessible to the public.

3. ***The Commission's right to use and disseminate the data gathered shall not be restricted*** in order to promote the evaluation of the data and to obtain the highest added value from the use of the data, ***in accordance with the Aarhus convention***.

The data shall be ***identifiable*** and transmitted to the Commission by means of computer telecommunications and/or electronic technology. The Commission shall establish the format and particulars needed for the transmission.

2. The Member States shall actively disseminate the data gathered according to common formats and standards and through electronic databases ***containing identifiable data*** that are easily accessible to the public.

3. ***Data may be published and made available to the public if the rules on the dissemination of data and their confidentiality do not preclude this***, in order to promote the evaluation of the data and to obtain the highest added value from the use of the data.

Justification

'Identification' of data affords greater flexibility, bearing in mind that in some Member States there are many small forest owners, but will not hamper necessary monitoring and research at Community level. The Aarhus Convention does not need to be mentioned, as it will in any case have to be complied with once it enters into force. Necessary data protection should however be safeguarded.

Amendment 19 Article 17

1. The Standing Forestry Committee set up by Council Decision 89/367/EEC shall ***assist the Commission.***

2. Where reference is made to the present *paragraph*, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3. The period provided for in Article **4(3)** of Decision 1999/468/EC shall be set at two months.

1. The Standing Forestry Committee set up by Council Decision 89/367/EEC shall ***manage the implementation and monitoring of the regulation jointly with the Commission.***

2. Where reference is made to the present *article*, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3. The period provided for in Article **5(3)(4)(5) and (6)** of Decision 1999/468/EC shall be set at two months.

Justification

The role of the Standing Forestry Committee in monitoring and developing the implementation of the regulation should be enhanced in order to comply with the subsidiarity principle and the EU forestry strategy. The Committee would act as a regulatory committee in the implementation of the programme.

This amendment proposes to change the competence of the Standing Forestry Committee from that of a management committee (Article 4 of Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission) to that of a regulatory committee (Article 5).