



2018/0205(COD)

10.7.2018

*****I**

DRAFT REPORT

on the proposal for a Regulation of the European Parliament and of the Council on the alignment of reporting obligations in the field of environment policy and thereby amending Directives 86/278/EEC, 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU, Regulations (EC) No 166/2006 and (EU) No 995/2010, and Council Regulations (EC) No 338/97 and (EC) No 2173/2005
(COM(2018)0381 – C8-0244/2018 – 2018/0205(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Adina-Ioana Vălean

Symbols for procedures

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

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

Amendments to a draft act

Amendments by Parliament set out in two columns

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

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

Amendments by Parliament in the form of a consolidated text

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

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

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	24

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on the alignment of reporting obligations in the field of environment policy and thereby amending Directives 86/278/EEC, 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU, Regulations (EC) No 166/2006 and (EU) No 995/2010, and Council Regulations (EC) No 338/97 and (EC) No 2173/2005 (COM(2018)0381 – C8-0244/2018 – 2018/0205(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0381),
 - having regard to Article 294(2) and Articles 114, 192(1) and 207 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0244/2018),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee¹,
 - having regard to the opinion of the Committee of the Regions²,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on Agriculture and Rural Development and the Committee on Legal Affairs (A8-0000/2018),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C

² OJ C

Amendment 1

Proposal for a regulation

Title 1

Text proposed by the Commission

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on the alignment of reporting obligations in
the field of *environment policy* and
thereby amending Directives 86/278/EEC,
2002/49/EC, 2004/35/EC, 2007/2/EC,
2009/147/EC and 2010/63/EU, Regulations
(EC) No 166/2006 and (EU) No 995/2010,
and Council Regulations (EC) No 338/97
and (EC) No 2173/2005

(Text with EEA relevance)

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on the alignment of reporting obligations in
the field of *legislation related to the
environment* and thereby amending
Directives 86/278/EEC, 2002/49/EC,
2004/35/EC, 2007/2/EC, 2009/147/EC and
2010/63/EU, Regulations (EC) No
166/2006 and (EU) No 995/2010, and
Council Regulations (EC) No 338/97 and
(EC) No 2173/2005

(Text with EEA relevance)

Or. en

Justification

Amendment to the title reflecting that not all legal acts listed here are environmental legislation per se.

Amendment 2

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) In order to address the need for implementation and compliance information, amendments of several pieces of *environmental* legislation should be introduced taking into account the results of the Commission Report on Actions to Streamline Environmental Report⁴⁵ and its related Fitness Check⁴⁶.

⁴⁵ COM(2017) 312.

Amendment

(1) In order to address the need for implementation and compliance information, amendments of several pieces of legislation *related to the environment* should be introduced, taking into account the results of the Commission Report on Actions to Streamline Environmental Report⁴⁵ and its related Fitness Check⁴⁶.

⁴⁵ COM(2017) 312.

Justification

In line with a similar amendment to the Title.

Amendment 3

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) In accordance with the findings of the REFIT evaluation of Directive 2004/35/EC of the European Parliament and of the Council,⁵¹ availability of information *can* be further improved in particular on certain key data. This will serve the purposes to inform the public on environmental damage instances, in particular where it is likely to be affected by such instances, to enable operators and authorities to undertake the necessary preventive and remedial action in such instances, and to provide the Commission with the required evidence base to carry out regular evaluations of the Directive. The need to ensure a higher level of transparency is further underpinned by the requirements of Directive 2003/4/EC namely to make available information to the public that might result in an imminent threat to human health or the environment. Online information should also fulfil requirements of Directive 2007/2/EC, in particular on services and accessibility of data to the public and to the authorities.

⁵¹ SWD(2016) 0121.

Amendment

(6) In accordance with the findings of the REFIT evaluation of Directive 2004/35/EC of the European Parliament and of the Council⁵¹, availability of information *could* be further improved in particular on certain key data. This will serve the purposes to inform the public on environmental damage instances, in particular where it is likely to be affected by such instances, to enable operators and authorities to undertake the necessary preventive and remedial action in such instances, and to provide the Commission with the required evidence base to carry out regular evaluations of the Directive. The need to ensure a higher level of transparency is further underpinned by the requirements of Directive 2003/4/EC namely to make available information to the public that might result in an imminent threat to human health or the environment. Online information should also fulfil requirements of Directive 2007/2/EC, in particular on services and accessibility of data to the public and to the authorities.

⁵¹ SWD(2016) 0121.

Amendment 4

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) The European Environment Agency (EEA) is already carrying out important tasks in the monitoring and reporting of **EU** environmental legislation, which should be explicitly introduced in the relevant legislation. ***For other pieces of legislation, the role and resourcing of the EEA in relation to supporting the Commission in environmental reporting will be addressed following the finalisation of the ongoing evaluation.***

Amendment

(14) The European Environment Agency (EEA) is already carrying out important tasks in the monitoring and reporting of **Union** environmental legislation, which should be explicitly introduced in the relevant legislation.

Or. en

Justification

The second sentence of Recital 14 does not explain what will happen if the outcome of the ongoing evaluation shows that the EEA must also be involved in other legislative acts covered by this Regulation and which do not have specific EEA provisions. It also fails to mention when such an evaluation will be completed. Therefore, the second sentence should be deleted.

Amendment 5

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Directives 86/278/EEC, 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU, Regulations (EC) No 166/2006 and (EU) No 995/2010, and Regulations (EC) No 338/97 and (EC) No 2173/2005 should therefore be amended accordingly,

Or. en

Justification

New recital intended to provide a direction for action, as a conclusion for all other recitals.

Amendment 6

Proposal for a regulation

Article 1 – paragraph 1 – point -1 (new)

Directive 86/278/EEC

Article 2 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

-1. In Article 2, the following point is added:

“(da) ‘spatial data services’: means the operations which may be performed, by invoking a computer application, on the spatial data contained in spatial data sets or on the related metadata as defined in Article 3(4) of Directive 2007/2/EC of the European Parliament and of the Council^{1a},

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

Or. en

(See wording of Directive 2007/2/EC (INSPIRE))

Justification

The definitions are placed in Article 2 of the basic act. Therefore for coherence and clarity the new definition for 'special data services' has been added in Article 2.

Amendment 7

Proposal for a regulation

Article 1 – paragraph 1 – point -1 b (new)

Directive 86/278/EEC

Article 2 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

-1. In Article 2, the following point is added:

(db) “spatial data set’: means an identifiable collection of spatial data as defined in Article 3(3) of Directive 2007/2/EC.”

Or. en

Justification

The definitions are placed in Article 2 of the basic act. Therefore for coherence and clarity the new definition for 'special data services' has been added in Article 2.

Amendment 8

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Directive 86/278/EEC

Article 10 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) any other information with regard to the transposition and implementation of this Directive provided by the Member States to the Commission pursuant to Article 17.

deleted

Or. en

Justification

The proposed text would create a loop because of the reference to Article 17 which itself refers to an implementing act which has to set up requirements of Article 10.

Amendment 9

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Directive 86/278/EEC

Article 10 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

Spatial data services as defined in Article 3(4) of Directive 2007/2/EC of the

Spatial data services shall be used to present the spatial data sets included in the

European Parliament and of the Council*
shall be used to present the spatial data sets
included in the information registered in
those records.

information registered in those records.

Or. en

Justification

This paragraph should be placed separately as Article 2 e new for purposes of clarity as the definitions are placed in Article 2 of the basic act.

Amendment 10

Proposal for a regulation

Article 2 – paragraph 1 – point 4

Directive 2002/49/EC

Article 10 – paragraph 2

Text proposed by the Commission

2. The Member States shall ensure that the information from strategic noise maps and summaries of the action plans as referred to in Annex VI are sent to the Commission within six months of the dates laid down in Articles 7 and 8 respectively. For that purpose, Member States shall only report the information electronically to *the* data repository *to be established in accordance with the regulatory procedure with scrutiny referred to in Article 13(3)*. In case a Member State wants to update information, it shall describe the differences between the updated and original information and the reasons for the update when making the updated information available to the data repository.

Amendment

2. The Member States shall ensure that the information from strategic noise maps and summaries of the action plans as referred to in Annex VI are sent to the Commission within six months of the dates laid down in Articles 7 and 8 respectively. For that purpose, Member States shall only report the information electronically to *a mandatory* data repository. In case a Member State wants to update information, it shall describe the differences between the updated and original information and the reasons for the update when making the updated information available to the data repository.

Or. en

Justification

Alignment of the basic act to the Delegated Acts procedure.

Amendment 11

Proposal for a regulation
Article 2 – paragraph 1 – point 4 a (new)
Directive 2002/49/EC
Article 10 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

4a. *In Article 10, after paragraph 2, the following paragraph is inserted:*

“2a. *The Commission shall adopt delegated acts in accordance with Article 12a to supplement this Directive concerning the setting up of the mandatory data repository referred to in paragraph 2, and the detailed rules of the digital information exchange mechanism to share the information from the strategic noise maps and summaries of action plans.”.*

Or. en

Justification

Alignment of the basic act to the Delegated Acts procedure. This new paragraph is amending article 10(2) paragraph 5 and transforming it into a subparagraph of paragraph 2.

Amendment 12

Proposal for a regulation
Article 2 – paragraph 1 – point 4 b (new)
Directive 2002/49/EC
Article 12 a (new)

Text proposed by the Commission

Amendment

4b. *The following Article is added:*

“Article 12a

Exercise of the delegation

1. *The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.*

2. *The power to adopt delegated acts referred to in Article 10(2a) shall be conferred on the Commission for a period five years from... [date of entry into force*

of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 10(2a) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 10(2a) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.”.

Justification

Alignment of basic act to the Delegated Acts procedure.

Amendment 13**Proposal for a regulation****Article 2 – paragraph 1 – point 5**

Directive 2002/49/EC

Annex VI – point 3

Text proposed by the Commission

Amendment

Annex VI point 3 is **replaced by the following:**

Annex VI point 3 is **deleted.**

3. Information exchange mechanism

The Commission, assisted by the European Environment Agency, shall develop a mandatory digital information exchange mechanism to share the information from the strategic noise maps and summaries of action plans, as referred to in Article 10 (2) in accordance with the regulatory procedure with scrutiny referred to in Article 13(3).

Justification

This amendment was reformulated and moved in article 10 paragraph 2 subparagraph 2a.

Amendment 14**Proposal for a regulation****Article 3 – paragraph 1 – point -1 (new)**

Directive 2004/35/EC

Article 2 – paragraph 1 – point 16 a (new)

Text proposed by the Commission

Amendment

-1. In Article 2, the following point is added:

“16a. ‘spatial data services’ means the operations which may be performed, by

*invoking a computer application, on the spatial data contained in spatial data sets or on the related metadata as defined in Directive 2007/2/EC of the European Parliament and of the Council * ;*

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

Or. en

Justification

The definitions are placed in Article 2 of the basic act. Therefore for coherence and clarity the new definition for 'special data services' has been added in Article 2.

Amendment 15

Proposal for a regulation

Article 3 – paragraph 1 – point -1 a (new)

Directive 2004/35/EC

Article 2 – paragraph 1 – point 16 b (new)

Text proposed by the Commission

Amendment

-1a. In Article 2, the following point is added:

“16b. ‘spatial data set’ means an identifiable collection of spatial data as defined in Directive 2007/2/EC (INSPIRE).”.

Or. en

Justification

The definitions are placed in Article 2 of the basic act. Therefore for coherence and clarity the new definition for 'special data services' has been added in Article 2.

Amendment 16

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Directive 2004/35/EC

Article 18 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. *The Commission shall adopt a delegated act in accordance with Article 18a to amend Annex VI to this Directive concerning the detailed criteria according to which the scale and type of the environmental damage shall be classified.*

Or. en

Justification

The basis on which the Commission proposal makes the distinction between the categories of "small/.../very large environmental damage" remains unclear. It can be presumed that there will be discrepancies between the Member States' practices on how to interpret the "significance" of a damage that conditions the reporting under Art 18. Furthermore, remediation costs can vary from Member State to Member State. Therefore we empower the Commission to establish detailed criteria thorough Delegated Acts.

Amendment 17

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Directive 2004/35/EC

Article 18 – paragraph 2

Text proposed by the Commission

Amendment

2. Spatial data services *as defined in Article 3(4) of Directive 2007/2/EC of the European Parliament and of the Council*** shall be used to present the spatial data sets, such as the spatial location of incidents, included in the information referred to in paragraph 1 of this Article.

2. Spatial data services shall be used to present the spatial data sets, such as the spatial location of incidents, included in the information referred to in paragraph 1 of this Article.

Or. en

Justification

The definitions are placed in Article 2 of the basic act. Therefore for coherence and clarity the new definition for 'special data services' has been added in Article 2.

Amendment 18

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Directive 2004/35/EC

Article 18 – paragraph 4 – point b a (new)

Text proposed by the Commission

Amendment

(ba) an analysis of the developments and changes in the Member States.

Or. en

Amendment 19

Proposal for a regulation

Article 3 – paragraph 1 – point 2 a (new)

Directive 2004/35/EC

Article 18 a (new)

Text proposed by the Commission

Amendment

The following Article is inserted:

"Article 18a

Exercise of the delegation

- 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.***
- 2. The power to adopt delegated acts referred to in Article 18(1a) shall be conferred on the Commission for an indeterminate period from...[date of entry into force of this Regulation].***
- 3. The delegation of power referred to in Article 18(1a) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date***

specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 18(1a) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council."

Or. en

Justification

Alignment of basic act to the Delegated Acts procedure.

Amendment 20

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Directive 2004/35/EC

Annex VI – paragraph 1 – introductory part

Text proposed by the Commission

The information referred to in Article 18(1) shall ***refer to*** emissions, events or incidents causing environmental damage or imminent threat of damage, with the

Amendment

The information referred to in Article 18(1) shall ***include*** emissions, events or incidents causing environmental damage or imminent threat of damage, with the

following information and data for each instance:

following information and data for each instance:

Or. en

Amendment 21

Proposal for a regulation

Article 4 – paragraph 1 – point 2

Directive 2007/2/EC

Article 21 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) an analysis of the development of the infrastructure for INSPIRE in the Member States;

Or. en

Amendment 22

Proposal for a regulation

Article 6 – paragraph 1 – point 2 – point a

Directive 2010/63/EU

Article 54 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

The Commission services shall publish a Union overview on the basis of the data submitted by the Member States.

The Commission services shall publish ***and regularly update*** a Union overview on the basis of the data submitted by the Member States.

Or. en

Amendment 23

Proposal for a regulation

Article 6 – paragraph 1 – point 2 – point b

Directive 2010/63/EU

Article 54 – paragraph 4

Text proposed by the Commission

4. The Commission shall establish a common format and information content for submitting the information referred to in paragraphs 1, 2 and 3 in accordance with the **regulatory** procedure referred to in Article 56(3).

Amendment

4. The Commission shall establish a common format and information content for submitting the information referred to in paragraphs 1, 2 and 3 in accordance with the **examination** procedure referred to in Article 56(3).

Or. en

Justification

The regulatory procedure is changed to an implementing act (examination procedure).

Amendment 24

Proposal for a regulation

Article 7 – paragraph 1 – point 2

Regulation (EC) No 166/2006

Article 7 – paragraph 2

Text proposed by the Commission

2. Member States shall provide, **each year**, to the Commission by electronic transfer a report containing all the data referred to in Article 5(1) and (2) in a format **and by a date** to be established by the Commission by means of implementing acts in accordance with the procedure referred to in Article 19(2). The reporting date shall be, in any case, no later than 9 months after the end of the reporting year.

Amendment

2. **No later than 31 March every year**, Member States shall provide to the Commission by electronic transfer a report containing all the data referred to in Article 5(1) and (2) in a format to be established by the Commission by means of implementing acts in accordance with the procedure referred to in Article 19(2). The reporting date shall be, in any case, no later than 9 months after the end of the reporting year.

Or. en

Justification

Alignment with the timing of the Commission's report as stipulated in other amended proposals included in this basic act.

Amendment 25

Proposal for a regulation

Article 8 – paragraph 1

PE625.332v01-00

20/25

PR\1158227EN.docx

Text proposed by the Commission

3. By 3 December 2015 and every *six* years thereafter, the Commission shall, on the basis of information on and experience with the application of this Regulation, review the functioning and effectiveness of this Regulation, including in preventing illegally harvested timber or timber products derived from such timber being placed on the market. It shall in particular consider the administrative consequences for small and medium-sized enterprises and product coverage. The Commission shall report to the European Parliament and to the Council on the results of the review and accompany such reports, if necessary, by appropriate legislative proposals.

Amendment

3. By 3 December 2015 and every *five* years thereafter, the Commission shall, on the basis of information on and experience with the application of this Regulation, review the functioning and effectiveness of this Regulation, including in preventing illegally harvested timber or timber products derived from such timber being placed on the market. It shall in particular consider the administrative consequences for small and medium-sized enterprises and product coverage. The Commission shall report to the European Parliament and to the Council on the results of the review and accompany such reports, if necessary, by appropriate legislative proposals.

Or. en

Justification

The European Parliament shall be given the possibility of reviewing the Commission's reports and eventual legislative proposals during each legislative term.

Amendment 26

Proposal for a regulation

Article 9 – paragraph 1 – point 2

Regulation (EC) No 2173/2005

Article 9 – paragraph 1

Text proposed by the Commission

By December 2021 and every 6 years thereafter, the Commission shall, on the basis of information on and experience with the application of this Regulation, review the functioning and effectiveness of this Regulation. In doing so it *should take into account* the progress on implementation of the voluntary Partnership Agreements. The Commission shall report to the European Parliament and

Amendment

By December 2021 and every 6 years thereafter, the Commission shall, on the basis of information on and experience with the application of this Regulation, review the functioning and effectiveness of this Regulation. In doing so it *takes* the progress on implementation of the voluntary Partnership Agreements *into account*. The Commission shall report to the European Parliament and to the

to the Council on the result of the review and accompany such reports where appropriate, by proposals for improvement of the FLEGT licensing scheme.

Council on the result of the review **every 6 years** and accompany such reports where appropriate, by proposals for improvement of the FLEGT licensing scheme.

Or. en

Justification

Linguistic adjustment and clarification on the reporting periodicity.

Amendment 27

Proposal for a regulation

Article 10 – paragraph 1 – point 1

Regulation (EC) No 338/97

Article 15 – paragraph 4 – point c

Text proposed by the Commission

(c) Without prejudice to Article 20, the management authorities of the Member States shall, one year before each meeting of the Conference of the Parties to the Convention, communicate to the Commission all the information relating to the relevant preceding period required for drawing up the reports referred to in Article VIII.7 (b) of the Convention and equivalent information on the provisions of this Regulation that fall outside the scope of the Convention. The **information to be communicated and the** format for its presentation shall be specified by the Commission in accordance with the **regulatory** procedure referred to in Article 18(2).

Amendment

(c) Without prejudice to Article 20, the management authorities of the Member States shall, one year before each meeting of the Conference of the Parties to the Convention, communicate to the Commission all the information relating to the relevant preceding period required for drawing up the reports referred to in Article VIII.7 (b) of the Convention and equivalent information on the provisions of this Regulation that fall outside the scope of the Convention. The format for its presentation shall be specified by the Commission in accordance with the **examination** procedure referred to in Article 18(2).

Or. en

Justification

The information to be communicated should not be decided by the Commission and the regulatory procedure should be transformed into an implementing act (examination procedure).

EXPLANATORY STATEMENT

The Rapporteur welcomes the intention of the Commission to streamline the alignment of reporting obligations of the environment-related legislation, updating specific provisions of 10 sectoral directives and regulations. In the Rapporteur's view, this Commission proposal comes in a conducive moment when efforts are made to simplify the environmental legislation, including reporting provisions, that has been gradually increasing since the 1970s.

Concretely, this legislative proposal derives from an updated action plan to streamline environmental reporting¹, one of the outcomes of the Fitness Check evaluation on reporting and monitoring of Union environment policy². Moreover, this Commission proposal complements the recently adopted decision on procedural rules in the field of environmental reporting³.

The Rapporteur supports the Commission's aim to increase transparency, provide an evidence base for future evaluations, and to simplify and reduce administrative burden for Member States and Commission. She makes several suggestions to improve the legislative proposal that overall should modernise information management and diminish administrative burden.

Furthermore, an enhanced legislative proposal will reduce costs for stakeholders, and increase benefits, by applying more widely the most efficient processes and by increasing the use of electronic tools and templates. With these improvements, data will be better collected and processed, offering faster comprehensive assessments for decision makers in Members States and at the Union level.

Certain suggestions proposed by the Rapporteur aim to offer a more transparent access to clear environmental information for various stakeholders, including the public, and contribute inter alia to priority objective 4 of the 7th Environment Action Programme⁴. For example, several amendments, concerning definitions of various terms within the basic acts referred within this proposal or detailing certain terms, intend to assure a better coherence, simplify the text and brings overall more clarity.

Some changes made by the Rapporteur enhance the role of co-legislators, including the one of the European Parliament, and clarify the role of the European Environment Agency (EEA) in the overall reporting and monitoring exercise.

The Rapporteur is of the opinion that detailed criteria according to which the scale and type of the environmental damage shall be classified within Directive 2004/35/EC⁵ are necessary.

In case of Directive 2010/63/EC⁶, the Rapporteur introduces a requirement for the Commission

¹ Commission Report (COM(2017)0312).

² SWD(2017)0230.

³ Decision (EU) 2018/853 of the European Parliament and of the Council of 30 May 2018 amending Regulation (EU) No 1257/2013 and Directives 94/63/EC and 2009/31/EC of the European Parliament and of the Council and Council Directives 86/278/EEC and 87/217/EEC as regards procedural rules in the field of environmental reporting and repealing Council Directive 91/692/EEC.

⁴ OJ L 354, 28.12.2013, p. 171-200.

⁵ Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage.

⁶ Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection

not only to publish but also to regularly provide update on a Union overview based on the data submitted by the Member States.

As regards Regulation (EC) No 166/2006¹, a clear reporting deadline for Member States to provide to the Commission by electronic transfer all required data specified in this Regulation is also proposed.

In what concerns Regulation (EC) No 995/2010, the Rapporteur considers that the Parliament shall be given the possibility of reviewing the Commission's reports and eventual legislative proposals during each legislative term and therefore reduces the Commission's review period from six to five years.

The Rapporteur considers that certain provisions referring to the use of the regulatory procedure with scrutiny within basic acts referred in this proposal should be aligned with the Lisbon Treaty. In that regard, the Rapporteur calls for the use of delegated acts in case of certain articles of some basic acts referred in this proposal, bringing more clarity to the power conferred to Commission by the two co-legislators: the Parliament and the Council. Details for the exercise of the delegation are also provided. Consequently, the suggested alignment with the Lisbon Treaty and especially the use of delegated acts will not only be an important update of the Commission proposal, but also will improve the overall reporting and monitoring exercise.

of animals used for scientific purposes.

¹ Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC.