

Procedure file

Basic information		
SYN - Cooperation procedure (historic)	1997/0168(SYN)	Procedure completed
European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)		
Repealed by 2007/0235(COD)		
Subject 3.70 Environmental policy 8.40.08 Agencies and bodies of the EU		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Consumer Protection		04/09/1997
		PSE COLLINS Kenneth D.	
	Former committee responsible		
	ENVI Environment, Public Health and Consumer Protection		04/09/1997
		PSE COLLINS Kenneth D.	
	Former committee for opinion		
	BUDG Budgets		02/09/1997
Council of the European Union		PSE TAPPIN Michael	
	ENER Research, Technological Development and Energy		04/09/1997
		V HOLM Ulf	
	Council configuration	Meeting	Date
	Industry	2174	29/04/1999
	Agriculture and Fisheries	2115	20/07/1998
	Environment	2106	16/06/1998

Key events			
13/06/1997	Legislative proposal published	COM(1997)0282	Summary
18/07/1997	Committee referral announced in Parliament		
21/01/1998	Vote in committee		Summary
21/01/1998	Committee report tabled for plenary, 1st reading/single reading	A4-0030/1998	
17/02/1998	Debate in Parliament		Summary
18/02/1998	Decision by Parliament	T4-0079/1998	Summary

24/03/1998	Modified legislative proposal published	COM(1998)0191	Summary
20/07/1998	Council position published	08987/3/1998	Summary
22/10/1998	Committee referral announced in Parliament, 2nd reading		
20/01/1999	Vote in committee, 2nd reading		Summary
20/01/1999	Committee recommendation tabled for plenary, 2nd reading	A4-0019/1999	
09/02/1999	Decision by Parliament, 2nd reading	T4-0071/1999	Summary
29/03/1999	Modified legislative proposal published	COM(1999)0122	Summary
29/04/1999	Act adopted by Council after consultation of Parliament		
29/04/1999	End of procedure in Parliament		
05/05/1999	Final act published in Official Journal		

Technical information

Procedure reference	1997/0168(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
	Repealed by 2007/0235(COD)
Legal basis	EC before Amsterdam E 130S-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/10367

Documentation gateway

Legislative proposal		COM(1997)0282 OJ C 255 20.08.1997, p. 0009	13/06/1997	EC	Summary
Economic and Social Committee: opinion, report		CES1400/1997 OJ C 073 09.03.1998, p. 0103	11/12/1997	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0030/1998 OJ C 056 23.02.1998, p. 0004	21/01/1998	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0079/1998 OJ C 080 16.03.1998, p. 0085-0138	18/02/1998	EP	Summary
Modified legislative proposal		COM(1998)0191 OJ C 123 22.04.1998, p. 0006	24/03/1998	EC	Summary
Council position		08987/3/1998 OJ C 364 25.11.1998, p. 0001	20/07/1998	CSL	Summary
Commission communication on Council's position		SEC(1998)1427	09/09/1998	EC	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0019/1999 OJ C 150 28.05.1999, p. 0005	20/01/1999	EP	
Text adopted by Parliament, 2nd reading		T4-0071/1999 OJ C 150 28.05.1999, p. 0016-0041	09/02/1999	EP	Summary

Modified legislative proposal		COM(1999)0122	29/03/1999	EC	Summary
Additional information					
European Commission	EUR-Lex				
Final act					
Regulation 1999/933 OJ L 117 05.05.1999, p. 0001 Summary					

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

OBJECTIVE: to amend Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency, in order to step up its activities in certain fields and improve its organization and structure in the light of experience gained. SUBSTANCE: Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency lays down that, once the Agency has been in existence for two years, the Council may decide to allocate it further tasks. Following a proposal by the Commission and a resolution by the European Parliament (COS0308), the Council took the view that the allocation of the new tasks should be postponed for two years (mainly because of problems in recruiting staff); it was decided that the allocation of tasks would be reviewed by 30.10.1997 at the latest. The Commission now proposes reviewing the original Regulation, consolidating certain activities of the Agency in clearly defined fields, but without strictly speaking giving it any new tasks. In the light of the experience gained, it is to flesh out and enhance its role in storing and providing information about the state and development of the environment. The main changes concern the following points: -supplying the Commission with information on the identification, preparation and evaluation of measures to be taken in the field of the environment (particularly drawing up regular reports containing critical assessments by peers or specialist advice on environmental monitoring), -establishing environmental archives, -publishing, every five years, a report on the state of the environment and annual indicative reports, -wide dissemination to the public of information about the state of the environment, -helping the Commission to exchange information and environmental impact assessments, -helping the Commission to disseminate information about environmental research. At the same time, other changes have been made in the following fields: -European Environment Information and Observation Network: all Member States will be required to inform the Agency of developments and changes in the network. In addition, Member States must cooperate with the Agency in gathering and processing data at national level. The procedure for Topic Centres is also to be amended, -Management Board: participation by representatives of the EFTA/EEA countries is to be extended to the Management Board of the Agency. Other technical and organizational changes are also to be made, -Scientific Committee: appointment of members is to be left to the discretion of the Management Board, -cooperation with third countries: in some fields of common interest, cooperation will be possible, -reporting and evaluation: by 31.12.2003 at the latest, a report on the progress and tasks of the Agency is to be drawn up by the Commission; an interim report on its effectiveness is to be drawn up by 31.10.1999, -use of environmental statistics: certain statistics gathered by Eurostat on human activity resulting in pressure on the environment and societal and economic responses to such pressures may be used by the Agency.?

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

The ESC approves the activities of the Agency and agrees that its tasks should be consolidated along the lines set out by the Commission. The ESC, however, also hopes that the Agency's work on gathering and disseminating information will be expanded - and not only for the benefit of the Commission and the Member States but for all other community and social interests in the EU. The ESC considers that the Agency should have a distinct role within this cross-frontier context, namely that of establishing forms of cooperation with the countries of Central and Eastern Europe (CEECs) preparing to join the EU so that it is easier for them to acquire the information needed to update their environmental legislation. According to the latest Commission studies, this is of fundamental importance for their integration into the EU. It is necessary to make the Agency a vehicle for the integration of all policies with environmental repercussions and to this end it needs to work together not only with the Commission, but also with all bodies active in the environment. Its advisory function can similarly be put to use with the enlargement of the EU in mind. As far as the Agency's functions are concerned, we would urge that it be given responsibilities for carrying out a "strategic or integrated environmental assessment" and for performing the task, in conjunction with the Commission, of monitoring implementation of the Community's environmental legislation. All this will only be possible if the Agency receives funding commensurate with its functions. We should therefore look into the possibility of the Agency being given its own budget so that future budget increases do not have to be borne by DG XI.?

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

The European Environment Agency (EEA) should tender advice to Parliament as well as to the Commission and Member States, the Committee suggested. The committee adopted a report by its chairman, Mr Ken COLLINS (PES, UK), on a Commission proposal for changes to the EEA, which officially opened in August 1995 with the aim of providing the Commission and Member States with objective and comparable information on Europe's environment. While welcoming the proposal as a whole and praising the work of the EEA to date, Mr Collins felt that the Commission had overlooked the important role played by Parliament in the legislative process. Hence the need to include

in the review proposal a new obligation requiring the EEA to respond to requests for advice from Community institutions other than the Commission. The committee also felt that the agency should be able to offer advice on its own initiative. In addition, members want the EEA to submit a performance report next year to Parliament as well as the Commission. The committee also amended the proposal with a view to ensuring that the Commission cooperates with the EEA by using information provided by the EEA when proposing initiatives or in connection with the implementation and enforcement of legislation. The repository of environmental information which is to be set up should contain a data register and the EEA's multiannual work programme should have a multiannual budget. Information should be disseminated in the official languages of the Union, the committee felt, "wherever possible".?

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

Commissioner Bjerregaard stressed the importance of the Agency's role, particularly in the central and eastern European countries. She said that most of the rapporteur's amendments could be accepted.

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

Adopting the report by Mr Kenneth D. COLLINS (PSE, UK), the European Parliament considered that the European Environment Agency should give an opinion at the request of any EU institution or at its own initiative (at present it only gives an opinion at the request of the European Commission). Parliament also called for: - the Commission to cooperate with the Agency by using the information which it supplied for legislative initiatives or acts; - the Agency to establish a repository of information on the environment, to assess data on the state of the environment and to draw up expert reports on the quality and sensitivity of the environment. The Agency should also provide uniform assessment criteria for environmental data to be applied in all Member States. In addition, the Commission should use this information to ensure that Community legislation on the environment was implemented and complied with; - the Agency to ensure, wherever possible, that information was disseminated in all the official languages of the EU and to cooperate with third countries in areas of common interest; - the governing body of the Agency to adopt a multi-annual working programme based on a series of priority areas such as the quality of the air, water, soil and flora and fauna, waste management, noise emissions etc. This working programme should have a multi-annual budget. Finally, Parliament called for a report to be drafted by the end of 2003 on the EU's global policy on the environment, together with a cost/effectiveness evaluation of the actions undertaken. An initial evaluation report should be forwarded to the European Parliament by 15 September 1999.?

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

In its amended proposal concerning the amendment to the regulation on the establishment of the European Environment Agency, the Commission wholly or partially incorporates six of the nine amendments adopted by Parliament at first reading. These amendments are concerned with: - the scope of the report on the state of the environment: this should cover future trends and prospects in this area, - the Agency's multiannual budget, which should be linked to its multiannual work programme, - the information to be provided by the Agency: this is information needed to frame and implement environmental policy, - the fact that other Institutions, as well as the Commission, may request support on the monitoring of environmental measures, - the establishment of a data register on the environment, - dissemination of the Agency's information in all the Community official languages and enlarging the scope of dissemination of information on the state of the environment, - the review of the Agency's tasks which must be placed in the overall context of the EU's environmental policy; the report will be made available to Parliament. However, the Commission does not consider it necessary for the Agency to draw up reports and critical reviews on its own initiative, considering that this could be interpreted as a monitoring and inspection role which would be incompatible with its objectives. Moreover, the general review will not include a cost-effectiveness analysis of the Agency's activities as proposed by Parliament. The Commission did not adopt the amendments aiming to ensure cooperation between the Agency and the Commission with a view to supporting implementation of environmental legislation. It does not wish the Agency to supply information of direct use in implementing Community legislation in this area. The Commission did not adopt Parliament's proposals on the priorities of the Agency's work programme (air and soil pollution) or on cooperation between the Agency and non-Member States. ?

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

The Common Position incorporates in whole or in part most of the European Parliament's amendments that the Commission had accepted in its amended proposal. One additional amendment, rejected by the Commission for legal technical reasons, was incorporated in the Common Position. This referred to cooperation with "other bodies" including IMPEL. In particular, the Common Position incorporates those amendments referring to the following: - broadening the scope of the dissemination of information, focussing particularly on information on the state of the environment; - integrating sustainable development into the Agency's objectives; - making provision for environmental monitoring reports (within a clearly defined framework) and, at the request of Member States, expert "peer review"; - making provision for better practice in evaluating the state of the environment; - clarifying the research role of the Agency regarding the development of environmental policy; - providing for a multi-annual budgetary estimate to accompany the Multi-annual Work Programme; The amendment which referred to making all documents available in all official languages was not included. Instead, the Council specifies that the Agency should use the Translation Centre in Luxembourg to translate the relevant Agency documents. Essentially, the Common Position amends Regulation 1210/90/EEC by strengthening the role of the European Environmental Agency, especially with regard to its tasks in the areas of implementation of Community environmental law and dissemination of environmental information. Certain alterations have been made by the Council, establishing the principle of geographical equity in terms of the distribution of Topic Centres. The Council has removed specific references to the EEA/EFTA

states, instead preferring a generic reference to "other countries" that participate in the Agency having a representative on the Management Board. Similarly, it has removed specific references to the membership of the Bureau, leaving it instead to the Management Board to adopt its own rules. The Council has modified the Commission proposal with regard to the aspects and modalities of cooperation between the Agency and the Member States in the collection, collation and analysis of environment information nationwide. This modification is motivated by the fact that the Council feels it would be inappropriate to impose a legal obligation on Member States as far as cooperation with the Agency is concerned. Provision is also made for Member States to combine in the provision of data where this is more convenient or appropriate.?

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

The Commission accepts the Council Common Position without objection.

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

The Committee adopted unanimously a recommendation on the Council's common position on a proposal for changes to the Copenhagen-based European Environment Agency (EEA), which officially opened in August 1995. Mr Collins believes that the common position is generally consistent with the original Commission proposal and the stance taken by Parliament at first reading last February. In particular, he is pleased that Council has taken on board six of the nine amendments adopted by Parliament on that occasion. However, his recommendation also incorporates nine amendments - all adopted by the committee - which seek either to reinstate key passages dropped by Council or to amend new text added by Council. The current amendments call for greater use by the Commission of information garnered by the EEA, which must be capable of being used to implement and evaluate the Community's environmental policy and to ensure compliance with it. Information may be required of the EEA not only by the Commission and Member States but also by other EU institutions (eg the European Parliament). Parliament should also have a representative on the EEA's bureau. In addition, members want the EEA to submit a performance report to Parliament as well as to the Commission. The EEA should also be able to provide information on its own initiative. The committee is also keen that an information reference centre to be developed by the EEA should include a data register. There should be freedom of access to validated environmental information and information disseminated to the public should be reliable and comparable.?

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

At second reading under cooperation procedure without debate, the European Parliament approved the decision on common position (EC) N° 58/98 adopted by the Council with a view to adopting a Council Regulation (EC) amending Regulation 1210/90/EEC on the establishment of the European Environment Agency and the European Information and Observation Network. This recommendation, by Kenneth D. Collins (PSE,UK) amends the Common Position in the following areas: - specifying that advice to the Member States on the development, establishment and expansion of their systems for the monitoring of environmental measures can be required by a Member State, the Commission or other EU institutions or be provided by the Agency on its own initiative; - requiring that the proposed reference centre of information on the environment include a data register containing information related to legislative and other measures taken by the European Community and Member States for environmental protection and that the Commission use this information to ensure compliance with Community environment legislation; - providing that the reference centre should be used to ensure freedom of access to validated information on the environment, in accordance with Council Directive 90/313/EEC on the freedom of access to information on the environment; - making it a requirement that the Agency cooperate in the exchange of information with other bodies and requiring that it should also assist them; - providing that membership of the bureau shall include a representative appointed by the European Parliament and one appointed by the Commission; - requiring the Council, not later than 31/12/2003, based on a Commission report containing a cost effectiveness evaluation on centralised and decentralised actions, to review the Agency's progress; - requiring the Agency to conduct an evaluation of its performance and efficiency before 15/9/99 and submit a report to the management board, the Commission and the European Parliament.?

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

In its re-examined proposal, the Commission accepts 3 out of 9 amendments approved at the second reading by the European Parliament. The amendments aim to : - ensure that the environmental information is reliable and comparable; - clarify the intention of the original Commission proposal on membership of the Bureau of the Agency Management Board to ensure that the Commission and Parliament, as well as the Member States are represented; - accept a reference to development and maintenance of a reference centre. All other amendments were rejected (in particular regarding the advice that the Agency gives to the Member States, the freedom of access to information, the evaluation of the environmental policy by the Agency, advice on monitoring systems, expressing the will of Member States to avoid any binding legal requirement on them to provide information to the Agency, the evaluation by the Agency in relation to Community environmental policy).?

European Environment Agency, European information and observation (amend. Regulation (EEC) No 1210/90)

PURPOSE: amendment of the Regulation establishing the European Environment Agency and the European environment and observation network in order to improve its organisation and structure. **COMMUNITY MEASURE:** Council Regulation 933/1999/EC amending Regulation 1210/90/EEC on the establishment of the European Environment Agency and the European environment information and observation network. **CONTENT:** The revised Regulation strengthens the tasks of the Agency. These will continue to consist in the collection and assessment of objective, reliable and comparable data on the state of the environment, making it available to the Commission and the Member States to support the implementation of environmental policies and legislation. Changes to the Agency's operation include: - the publication of the State of the Environment Report every five years rather than every three years, supported by indicators reports on specific issues; - a greater obligation on Member States to co-operate with the Agency in its data gathering and the development of increased co-operation with other international bodies and third countries' institutions. Reinforced tasks for the Agency include: ensuring the broad dissemination of environmental information to the general public, promoting to this end also the use of new telematics; supporting the Commission in the exchange of information on environmental assessment methodologies and best practices; and ensuring the diffusion of the results of relevant environmental research. **ENTRY INTO FORCE:** 05.05.1999.