## Basic information

COD - Ordinary legislative procedure (ex-codecision procedure)

- Regulation

### Environment policy: alignment of reporting obligations

- Amending Regulation (EC) No 2173/2005
- Amending Regulation (EC) No 166/2006 2004/0231(COD)
- Amending Directive 2010/63/EU 2008/0043(COD)

### Subject

- 3.70 Environmental policy

## Key players

### European Parliament

#### Committee responsible

- **ENVI** Environment, Public Health and Food Safety

#### Rapporteur

- **PPE** VĂLEAN Adina-Ioana
- **S&D** PAOLUCCI Massimo
- **ECR** MATTHEWS Rupert
- **ECR** PIECHA Boleslaw G.
- **ALDE** FEDERLEY Fredrick
- **GUE/NGL** ECK Stefan
- **Verts/ALE** ŠKRLEC Davor

#### Committee for opinion

- **ITRE** Industry, Research and Energy

#### Rapporteur for opinion

- **S&D** CAPUTO Nicola

- **Verts/ALE** HAUTALA Heidi

### Council of the European Union

- **JURI** Legal Affairs

### European Commission

- **General Affairs**
- **Commission DG Environment**

### European Economic and Social Committee

### European Committee of the Regions

## Key events

**Procedure completed**

14/05/2018

Committee decided not to give an opinion.

28/06/2018

21/05/2019

09/07/2018

21/05/2019
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<td>Legislative proposal published</td>
<td>COM(2018)0381</td>
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<td>Committee referral announced in Parliament, 1st reading/single reading</td>
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**Technical information**

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2018/0205(COD) - 31/05/2018 Legislative proposal

PURPOSE: to align the EU reporting obligations in the field of environment policy.


ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: in June 2017, the Commission published a comprehensive fitness check evaluation on reporting and monitoring of EU environment policy and drew up an action plan. This evaluation covered 181 reporting obligations found in 58 pieces of EU environmental legislation.

It was found that there is room for improvement on some cross-cutting issues (such as streamlining for a process that is more similar in all Member States) and for specific pieces of legislation:

- Directive 2002/49/EC (Environment Noise Directive);
- Directive 2004/35/EC (Environment Liability Directive - ELD);
- Directive 2007/2/EC (INSPIRE Directive) - Infrastructure for spatial information;
- Directives 2009/147/EC and 92/43/EEC (i.e. Birds and Habitats Directive);
- Directive 2010/63/EC (Animal Testing Directive);
- Regulation (EC) No 166/2006 (European Pollutant Release and Transfer Register Regulation (E-PRTR));
- Regulation (EU) No 995/2010 (Timber Regulation);
- Council Regulation (EC) No 338/97 (CITES);

Issues addressed in the proposal are as follows:
o the relevance and need for certain reporting obligations is no longer clear;
o the timing and frequency for reporting obligations does not meet major policy cycle needs;
o the extending of access to information and the sharing with the public;
o the roles of the Commission and European agencies are not always clear and explicit;
o aligning the content, timing and procedures with the evaluation cycle under the Better Regulation agenda. The proposal is therefore designed for the purpose of regulatory fitness and simplification.

CONTENT: this proposal for revision of several existing legislative acts falls under the Commissions Regulatory Fitness and Performance Programme (REFIT). The objectives of this alignment proposal are: (i) to improve the evidence base for the implementation of EU environmental policy; (ii) to increase transparency for the public and; (iii) to simplify reporting in order to reduce the administrative burden.

The proposal has been developed with a view to ensuring a coherent approach across the different legislative acts, as appropriate:

- improving transparency and subsidiarity (in 8 legal acts);
- aligning the timing of reporting (in 3 legal acts);
- clarifying the role that the Commission and, in some cases, the European Environment Agency plays in the reporting processes (in 8 legal acts);
- providing factual data for future evaluations (in 5 legal acts).

2018/0205(COD) - 15/10/2018 Committee report tabled for plenary, 1st reading/single reading


As a reminder, the proposed Regulation seeks to streamline the alignment of reporting obligations of the environment-related legislation, updating specific provisions of 10 sectoral directives and regulations.

The committee recommended that the European Parliaments position adopted at first reading under the ordinary legislative procedure should amend the Commissions proposal as follows.

Purpose: Members considered that the Regulation should aim to modernise information management and ensure a more consistent approach to the legislative acts within its scope by simplifying reporting so as to reduce the administrative burden (notably for SMEs), enhancing the database for future evaluations, and increasing transparency for the benefit of the public, each time in accordance with the circumstances.

The proposed amendments aim in particular 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 Environment Action Programme. For example, the Commission shall continue to carry out at regular intervals the evaluation of Directive 2007/2/EC establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) and make this evaluation available to the public. Comprehensive, accurate and comparable information shall be made public with regard to the assessment of Directive 2002/49/EC of the European Parliament and of the Council relating to the assessment and management of environmental noise;
- clarify the definitions of various terms in the basic acts covered by the proposal or detailing certain terms, for example by introducing the new definition of spatial data services;
- strengthen the role of co-legislators, including the European Parliament, and clarify the role of the European Environment Agency in the overall reporting and monitoring exercise;
- provide that the Commission shall adopt a delegated act to amend Annex VI to Directive 2004/35/EC on environmental liability as regards the detailed criteria to be applied for the classification of the scale and type of environmental damage;
- introduce in Directive 2010/63/EC (animals used for scientific purposes) a requirement for the Commission not only to publish but also to regularly provide update on a Union overview based on the data submitted by the Member States;
- impose a clear deadline on Member States (by 31 March each year) for the communication to the Commission, by electronic transfer, of all the required data specified in Regulation (EC) No 166/2006 (European Pollutant Release and Transfer Register);
- reduce the reference period for Commission reports from six to five years for Regulation (EC) No 995/2010 (the Timber Regulation) so as to allow Parliament to examine Commission reports and possible legislative proposals during each parliamentary term.

2018/0205(COD) - 23/10/2018 Text adopted by Parliament, partial vote at 1st reading/single reading


The matter was referred back to the committee responsible for interinstitutional negotiations.

As a reminder, the proposed Regulation seeks to streamline the alignment of reporting obligations of the environment-related legislation, updating specific provisions of 10 sectoral directives and regulations.

Purpose: Members considered that the Regulation should aim to modernise information management and ensure a more consistent approach to the legislative acts within its scope by simplifying reporting so as to reduce the administrative burden (notably for SMEs), enhancing the database for future evaluations, and increasing transparency for the benefit of the public, each time in accordance with the circumstances.

They stressed the need for a process of timely and comprehensive reporting of relevant information by Member States that can be used by...
The proposed amendments aim in particular 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 Programme. For example, the Commission shall continue to carry out at regular intervals the evaluation of Directive 2007/2/EC establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) and make this evaluation available to the public. Comprehensive, accurate and comparable information shall be made public with regard to the assessment of Directive 2002/49/EC of the European Parliament and of the Council relating to the assessment and management of environmental noise;
- clarify the definitions of various terms in the basic acts covered by the proposal or detailing certain terms, for example by introducing the new definition of 'spatial data services';
- strengthen the role of co-legislators, including the European Parliament, and clarify the role of the European Environment Agency in the overall reporting and monitoring exercise;
- introduce in Directive 2010/63/EC (animals used for scientific purposes) a requirement for the Commission not only to publish but also to regularly provide update on a Union overview based on the data submitted by the Member States;
- impose a clear deadline on Member States (by 31 March each year) for the communication to the Commission, by electronic transfer, of all the required data specified in Regulation (EC) No 166/2006 (European Pollutant Release and Transfer Register);
- reduce the reference period for Commission reports from six to five years for Regulation (EC) No 995/2010 (the Timber Regulation) so as to allow Parliament to examine Commission reports and possible legislative proposals during each parliamentary term.

Delegated acts: according to the amended text, the Commission may:

- adopt a delegated act to amend Annex VI to Directive 2004/35/EC on environmental liability (ERD) as regards the detailed criteria to be applied for the classification of the scale and type of environmental damage;
- adopt delegated acts to complement Directive 2002/49/EC as regards the setting up of the mandatory data repository and the detailed rules of the digital information exchange mechanism to share the information from the strategic noise maps and summaries of action plans. The delegation of power shall be granted to the Commission for a period of five years from the date of entry into force of this Regulation.


The position of the European Parliament adopted at first reading in accordance with the ordinary legislative procedure.

The regulation would aim to modernise information management and ensure a more coherent approach to the legislative acts falling within its scope by simplifying the communication of environmental information in order to reduce the administrative burden, improving the database for future assessments and increasing transparency in the public interest, taking into account circumstances in each case.

The data and the process of their rapid and complete communication by Member States are essential to enable the Commission to monitor, review and evaluate the performance of the legislation in the light of its objectives, which will serve as a basis for future assessments of environmental legislation.


The amendments concern 10 legislative acts in the field of the environment:

- Directive 86/278/EEC on the implementation of the directive;
- Directive 2002/49/EC on the environment;
- Directive 2007/2/EC establishes an Infrastructure for Spatial Information in the European Community (INSPIRE);
- Directive 2009/147/EC concerns the conservation of wild birds;
- Regulation (EC) No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register;