

Monitoring, reporting and verification of carbon dioxide emissions from maritime transport

2013/0224(COD) - 10/03/2015 - Commission communication on Council's position

The Commission supported the Council's position at first reading. It considered that the informal negotiations led to a balanced package with satisfactory solutions on a number of important issues such as: (i) the scope of the Regulation, (ii) the monitoring and reporting of cargo, (iii) data confidentiality and transparency of information or, (iv) the enforcement provisions.

The fate of the Parliament's amendments is as follows:

- **Inclusion of broader references to "greenhouse gas emissions" instead of "CO2 emissions":** the Council has retained CO2 as the only emission covered, as in the Commission proposal, while accepting some broader wording on GHG emissions and air pollutants in the recitals.
- **Including fishing and processing ships under the MRV:** the Council finally kept these categories out of the Regulation as in the Commission proposal
- **Inclusion of a lightened MRV monitoring obligations for vessels operating only EU-related voyages and performing multiple voyages per day: "short sea shipping regime":** the
- Council retained the EP's idea while preferred setting a threshold related to the number of voyages scheduled annually so as to provide for more legal certainty for the operators.
- **Deletion of 'cargo carried' and 'transport work' from the scope of data monitored as well as related energy efficiency calculations:** the Council has retained them as monitoring parameters as put forward in the Commission's proposal.
- **Strengthening technical efficiency by requiring certified Energy Efficiency Design Index (EEDI) also for existing ships:** the Council has retained the Commission proposed scope of EEDI, only applying to new ships (built or repaired after 2013).
- **Adding ships' 'ice class' and information on severe winter conditions to the information included in the Monitoring plan and emissions reports:** the Council has retained the EP's main idea but has converted such a reporting into a voluntary one.
- **Introduction of a reference to Directive 2003/4/EC on public access to environmental information:** the Council has reformulated the Parliament's idea and developed it into a reference to Regulation 1367/2006 on access to environmental information applying to EU institutions and bodies (Aarhus Regulation) which contains a clause on protected commercially interest to be assessed against public interest in disclosure.
- **Tacit extension of the Commission's empowerment to adopt delegated acts:** the Council has also retained the usual tacit extension formula, accepted by the Commission.
- **Biennial assessment of non-CO2 impacts:** the Council has retained the European Parliament's idea but converting it into a (biennial) obligation to be carried out at the time the general report on reported MRV emissions will be produced by the Commission. The Council has inserted a number

of changes which do not significantly weaken the proposal and also a number of new provisions into the text which the Commission can accept. The Commission nevertheless makes a **specific statement** relating to the use made by the Council of the possibility foreseen under Article 5(4) of Regulation 182/2011 **(the "no opinion" clause) for implementing acts**. The Commission does not oppose it, but it strongly believes that the use of such a provision needs to be justified.