



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Industry, Research and Energy

2013/0224(COD)

20.1.2014

OPINION

of the Committee on Industry, Research and Energy

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport and amending Regulation (EU) No 525/2013 (COM(2013)0480 – C7-0201/2013 - 2013/0224(COD))

Rapporteur: Marita Ulvskog

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SHORT JUSTIFICATION

The rapporteur welcomes the Commission's proposal for a regulation on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport.

It remains a major problem that international shipping is excluded from EU emissions commitments. It is unreasonable that one mode of transport should be exempted from climate policy, so the Commission should, even in the absence of an international agreement, have already proposed instruments for emissions reductions in this sector. Despite several years of work, the IMO process has not achieved sufficient results. EU policy in this area is inadequate and the level of ambition must be raised.

The measures proposed in this regulation are necessary in order to produce a tangible commitment on emissions for international shipping and to develop appropriate market-based instruments as quickly as possible.

The rapporteur considers it reasonable to give the IMO process another chance, but if no international agreement which includes emissions reduction commitments is signed by 31 December 2015 the Commission should present a legislative proposal on emissions reductions and instruments.

The rapporteur considers that the proposed timetable for the entry into force and implementation of this regulation is too slow. She therefore proposes a faster timetable that reflects the importance of rapid action on climate issues.

The Commission proposes that fishing vessels above 5000 gross tons be exempted from this regulation. No reasons are given for this. The rapporteur suggests that this exemption be removed.

The rapporteur also considers that the regulation should promote methods of determining emissions that have the greatest potential to provide accurate data and provide clear incentives for emissions reductions by the vessels concerned. It is therefore proposed that companies affected by the regulation should be able to choose between flow meters for applicable combustion processes and direct emission measurements.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The Climate and Energy Package¹⁷ **calling for** contributions of all sectors of the economy to achieving these emission reductions, **including** international maritime shipping, provides a clear mandate: "...in the event that no international agreement which includes international maritime emissions in its reduction targets through the International Maritime Organisation has been approved by Member States or no such agreement through the UNFCCC has been approved by the Community by 31 December 2011, the Commission should make a proposal to include international maritime emissions in the Community reduction commitment, with the aim of the proposed act entering into force by 2013. Such a proposal should minimise any negative impact on the Community's competitiveness while taking into account the potential environmental benefits."

¹⁷ Decision n°406/2009/EC and Directive n°2009/29/EC

Amendment 2

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1) The Climate and Energy Package¹⁷ **demand**s contributions of all sectors of the economy to achieving these emission reductions, **except** international maritime shipping, **but** provides a clear mandate: "...in the event that no international agreement which includes international maritime emissions in its reduction targets through the International Maritime Organisation has been approved by Member States or no such agreement through the UNFCCC has been approved by the Community by 31 December 2011, the Commission should make a proposal to include international maritime emissions in the Community reduction commitment, with the aim of the proposed act entering into force by 2013. Such a proposal should minimise any negative impact on the Community's competitiveness while taking into account the potential environmental benefits."

¹⁷ Decision n°406/2009/EC and Directive n°2009/29/EC

(1a) International maritime shipping remains the only means of transportation not included in the Union's commitment to reduce greenhouse gas emissions. According to the impact assessment accompanying the proposal for this Regulation Union-related carbon dioxide emissions from international shipping increased with 48% between 1990 and 2008.

Amendment 3

Proposal for a regulation

Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) In 2011 the Commission White Paper on transport established an emissions reduction target of 40% in 2050 compared to 2005 for Union international maritime shipping.

Amendment 4

Proposal for a regulation

Recital 2

Text proposed by the Commission

Amendment

(2) In July 2011, the International Maritime Organisation (IMO) adopted technical and operational measures, in particular the Energy Efficiency Design Index (EEDI) for new ships and the Ship Energy Efficiency Management Plan (SEEMP), which will bring improvement in terms of reducing the expected increase in greenhouse gas emissions, but alone cannot lead to the necessary absolute emission reductions of greenhouse gases from international shipping to keep efforts in line with the global objective of limiting increases in global temperatures to 2°C.

(2) In July 2011, the International Maritime Organisation (IMO) adopted technical and operational measures, in particular the Energy Efficiency Design Index (EEDI) for new ships and the Ship Energy Efficiency Management Plan (SEEMP), which will bring improvement in terms of reducing the expected increase in greenhouse gas emissions, but alone cannot lead to the necessary absolute emission reductions of greenhouse gases from international shipping to keep efforts in line with the global objective of limiting increases in global temperatures to 2°C. ***Even when accounting for these IMO measures world trade projections show that EU-related emissions from shipping will rise with an additional 51% to 2050 compared to 2010 levels indicating that additional measures are needed.***

Amendment 5

Proposal for a regulation Recital 11

Text proposed by the Commission

Amendment

(11) The Union MRV system should also cover other climate relevant information allowing for the determination of ships' efficiency or further analyse the drivers for the development of emissions. This scope also aligns the Union MRV system with international initiatives to introduce efficiency standards for existing ships, also covering operational measures, and contributes to the removal of market barriers related to the lack of information.

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Amendment 6

Proposal for a regulation Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) The Union has refrained from setting reduction targets for international maritime shipping pending a global agreement. A global commitment would be preferable to unilateral Union action since a broader scope would be more effective to achieve emission reductions.

Amendment 7

Proposal for a regulation Recital 24 b (new)

Text proposed by the Commission

Amendment

(24b) The Union has not yet set CO2 reduction targets for international maritime shipping as a global agreement in the framework of the IMO in this area

would be preferable. However, in case that an agreement at the global level cannot be reached before the end of 2015, the European Commission should assess the possibilities of creating a union-wide target for CO2 reduction for international maritime shipping and possible support mechanisms.

Amendment 8

Proposal for a regulation

Recital 25

Text proposed by the Commission

Amendment

(25) In order to make use of the best available practices and scientific evidence, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of reviewing certain technical aspects of monitoring and reporting of CO2 emissions from ships and of further specifying rules for the verification of emission reports and the accreditation of verifiers. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

deleted

Amendment 9

Proposal for a regulation

Recital 26

Text proposed by the Commission

Amendment

(26) In order to ensure uniform conditions for the use of automated

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systems and standard electronic templates for coherent reporting of emissions and other climate-relevant information to the Commission and involved States implementing powers should be conferred on the Commission. Those necessary implementing powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers²³.

²³ OJ L 251, 18.9.2012, p. 49.

Amendment 10

Proposal for a regulation

Article 1

Text proposed by the Commission

This Regulation lays down rules for the accurate monitoring, reporting and verification of carbon dioxide (CO₂) emissions *and other climate relevant information* from ships arriving at, within or departing from ports under the jurisdiction of a Member State in order to promote the reduction of CO₂ emissions from maritime transport in a cost effective manner.

Amendment

This Regulation lays down rules for the accurate monitoring, reporting and verification of carbon dioxide (CO₂) emissions from ships arriving at, within or departing from ports under the jurisdiction of a Member State in order to promote the reduction of CO₂ emissions from maritime transport in a cost effective manner.

Amendment 11

Proposal for a regulation

Article 3 – point g

Text proposed by the Commission

(g) ‘other climate-relevant information’ means information related to the consumption of fuels, transport work and

Amendment

deleted

energy efficiency of ships which allow for analysing emission trends and assessing ships' performances;

Amendment 12

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

2. Monitoring and reporting shall **be complete and** cover **all** emissions from the combustion of fuels. Companies shall apply appropriate measures to prevent any data gaps within the reporting period.

Amendment

2. Monitoring and reporting shall cover **CO₂** emissions from the combustion of fuels, **while the ship is at sea as well as at berth**. Companies shall apply appropriate measures to prevent any data gaps within the reporting period.

Amendment 13

Proposal for a regulation Article 6 – paragraph 1

Text proposed by the Commission

1. By 31 August **2017**, companies shall submit to the verifiers a monitoring plan indicating the method chosen to monitor and report emissions and other climate-relevant information for each of their ships above 5000 GT.

Amendment

1. By 31 August **2015**, companies shall submit to the verifiers a monitoring plan indicating the method chosen to monitor and report emissions and other climate-relevant information for each of their ships above 5000 GT.

Amendment 14

Proposal for a regulation Article 6 – paragraph 2

Text proposed by the Commission

2. By way of derogation from paragraph 1, for ships falling under the scope of this Regulation for the first time after 1 January **2018**, the company shall submit a monitoring plan to the verifier without undue delay and no later than two months after their first call in a port under the

Amendment

2. By way of derogation from paragraph 1, for ships falling under the scope of this Regulation for the first time after 1 January **2016**, the company shall submit a monitoring plan to the verifier without undue delay and no later than two months after their first call in a port under the

jurisdiction of a Member State.

jurisdiction of a Member State.

Amendment 15

Proposal for a regulation

Article 6 – paragraph 3 – point h – point i

Text proposed by the Commission

Amendment

(i) the procedures, responsibilities and data sources for determining and recording the distance per voyage made;

deleted

Amendment 16

Proposal for a regulation

Article 6 – paragraph 3 – point h – point ii

Text proposed by the Commission

Amendment

(ii) the procedures, responsibilities, formulae and data sources for determining and recording the cargo carried and the number of passengers as applicable;

deleted

Amendment 17

Proposal for a regulation

Article 6 – paragraph 3 – point h – point iii

Text proposed by the Commission

Amendment

(iii) the procedures, responsibilities, formulae and data sources for determining and recording the time spent at sea between the port of departure and the port of arrival;

deleted

Amendment 18

Proposal for a regulation

Article 8

Text proposed by the Commission

From 1 January **2018**, companies shall, based on the monitoring plan approved in accordance with Article 13(1), monitor emissions for each ship on a per-voyage and an annual basis by applying the appropriate method among those set out in part B of Annex I and by calculating emissions in accordance with part A of Annex I

Amendment

From 1 January **2016**, companies shall, based on the monitoring plan approved in accordance with Article 13(1), monitor emissions for each ship on a per-voyage and an annual basis by applying the appropriate method among those set out in part B of Annex I and by calculating emissions in accordance with part A of Annex I

Amendment 19

Proposal for a regulation
Article 9 – point b

Text proposed by the Commission

(b) amount and emission factor for each type of fuel consumed in total ***and differentiated between fuel used inside and outside emission control areas;***

Amendment

(b) amount and emission factor for each type of fuel consumed in total;

Amendment 20

Proposal for a regulation
Article 9 – point d

Text proposed by the Commission

(d) distance travelled;

Amendment

deleted

Amendment 21

Proposal for a regulation
Article 9 – point e

Text proposed by the Commission

(e) time spent at sea;

Amendment

deleted

Amendment 22

Proposal for a regulation

Article 9 – point f

Text proposed by the Commission

Amendment

(f) cargo carried;

deleted

Amendment 23

Proposal for a regulation

Article 9 – point g</Article>

Text proposed by the Commission

Amendment

(g) transport work.

deleted

Amendment 24

Proposal for a regulation

Article 9 – subparagraph 2 (new)

Text proposed by the Commission

Amendment

By way of derogation from the first paragraph, vessels exclusively operating within the scope of this Regulation are exempt from monitoring emissions on a per-voyage basis.

Amendment 25

Proposal for a regulation

Article 10 – point a

Text proposed by the Commission

Amendment

(a) amount and emission factor for each type of fuel consumed in total ***and differentiated between fuel used inside and outside emission control areas;***

(a) amount and emission factor for each type of fuel consumed in total;

Amendment 26

Proposal for a regulation
Article 10 – point g

Text proposed by the Commission

Amendment

(g) total distance travelled;

deleted

Amendment 27

Proposal for a regulation
Article 10 – point h

Text proposed by the Commission

Amendment

(h) total time spent at sea;

deleted

Amendment 28

Proposal for a regulation
Article 10 – point i

Text proposed by the Commission

Amendment

(i) total transport work;

deleted

Amendment 29

Proposal for a regulation
Article 10 – point j

Text proposed by the Commission

Amendment

(j) average energy efficiency.

deleted

Amendment 30

Proposal for a regulation Article 11 – paragraph 1

Text proposed by the Commission

1. From **2019**, by 30 April of each year, companies shall submit to the Commission and to the authorities of the flag States concerned, an emission report concerning the emissions and other climate-relevant information during the entire reporting period for each ship under their responsibility, which has been verified as satisfactory by a verifier in accordance with the requirements referred to in Article 14.

Amendment

1. From **2017**, by 30 April of each year, companies shall submit to the Commission and to the authorities of the flag States concerned, an emission report concerning the **CO₂** emissions and other climate-relevant information during the entire reporting period for each ship under their responsibility, which has been verified as satisfactory by a verifier in accordance with the requirements referred to in Article 14.

Amendment 31

Proposal for a regulation Article 13 – paragraph 5

Text proposed by the Commission

5. In particular the verifier shall ensure that the emissions ***and other climate-relevant information*** included in the emission report have been determined in accordance with Articles 8, 9 and 10 and the monitoring plan referred to in Article 6. The verifier shall also ensure that the emissions ***and other climate-relevant information*** declared in the reports are consistent with data calculated from other sources in accordance with Annexes I and II.

Amendment

3. In particular the verifier shall ensure that the **CO₂** emissions included in the emission report have been determined in accordance with Articles 8, 9 and 10 and the monitoring plan referred to in Article 6. The verifier shall also ensure that the **CO₂** emissions declared in the reports are consistent with data calculated from other sources in accordance with Annexes I and II.

Amendment 32

Proposal for a regulation Article 14 – paragraph 2 – point h

Text proposed by the Commission

(h) the calculations leading to the

Amendment

deleted

determination of the energy efficiency.

Amendment 33

Proposal for a regulation

Article 18

Text proposed by the Commission

From 30 June **2019** ships arriving at, within or departing from a port under the jurisdiction of a Member State shall carry on board a valid document certifying the ship's compliance with the reporting and monitoring obligations for the concerned reporting period, issued in accordance with Article 17.

Amendment

From 30 June **2017** ships arriving at, within or departing from a port under the jurisdiction of a Member State shall carry on board a valid document certifying the ship's compliance with the reporting and monitoring obligations for the concerned reporting period, issued in accordance with Article 17.

Amendment 34

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

1. Member States shall lay down a system of penalties for failure to comply with the monitoring and reporting requirements set out in Articles 8 to 12 and shall take all the measures necessary to ensure that those penalties are applied. The penalties provided for shall be no less stringent than those foreseen under national legislation on greenhouse gas emissions in case of non-compliance with reporting obligations by operators and be effective, proportionate and dissuasive. Member States shall notify these provisions to the Commission by 1 July **2017**, and shall notify any subsequent amendments affecting these provisions to the Commission without delay.

Amendment

1. Member States shall lay down a system of penalties for failure to comply with the monitoring and reporting requirements set out in Articles 8 to 12 and shall take all the measures necessary to ensure that those penalties are applied. The penalties provided for shall be no less stringent than those foreseen under national legislation on greenhouse gas emissions in case of non-compliance with reporting obligations by operators and be effective, proportionate and dissuasive. Member States shall notify these provisions to the Commission by 1 July **2015**, and shall notify any subsequent amendments affecting these provisions to the Commission without delay.

Amendment 35

Proposal for a regulation

Article 21 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) annual average fuel consumption and greenhouse gas emissions per distance travelled of voyages falling within the scope of this Regulation; *deleted*

Amendment 36

Proposal for a regulation

Article 21 – paragraph 2 – point g

Text proposed by the Commission

Amendment

(g) annual average fuel consumption and greenhouse gas emissions per distance travelled and cargo carried on voyages falling within the scope of this Regulation; *deleted*

Amendment 37

Proposal for a regulation

Article 21 – paragraph 2 – point h

Text proposed by the Commission

Amendment

(h) annual total time spent at sea in voyages falling within the scope of this Regulation; *deleted*

Amendment 38

Proposal for a regulation

Article 21 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall publish an annual report on emissions ***and other climate-relevant information*** from maritime

3. The Commission shall publish an annual report on ***CO₂*** emissions from maritime

transport.

transport.

Amendment 39

Proposal for a regulation

Article 22 – paragraph 3

Text proposed by the Commission

3. Where an international agreement on global measures to reduce greenhouse gas emissions from maritime transport is reached, the Commission *shall review this Regulation and may, if appropriate, propose amendments to this Regulation.*

Amendment

3. Where an international agreement on global measures to reduce greenhouse gas emissions from maritime transport is reached, the Commission *undertakes to propose immediately the incorporation of the internationally agreed provisions into Community law.*

Amendment 40

Proposal for a regulation

Article 23

Text proposed by the Commission

Article 23

Delegation of powers

The power to adopt delegated acts in order to supplement and amend the provisions of Annexes I and II to take into account up-to-date scientific evidence available, as well as the relevant data available on board of ships and the relevant international rules and internationally accepted standards, to identify the most accurate and efficient methods for monitoring of emissions, and to improve the accuracy of the information requested related to the monitoring and reporting of emissions is conferred on the Commission subject to the conditions laid down under Article 24 to the extent it concerns non-essential elements of this Regulation.

Amendment

deleted

Justification

Pending an international agreement on the adoption of global measures, it is not appropriate to allow the Commission to short-circuit the co-legislators by means of excessive delegated powers and implementing powers.

Amendment 41

Proposal for a regulation

Article 24

Text proposed by the Commission

Amendment

Article 24

deleted

Exercise of delegation

- 1. The power to adopt delegated acts referred to in Articles 15, 16 and 23 shall be conferred on the Commission for a period of five years from 1 July 2015.*
- 2. The delegation of power referred to in Article 23 may be revoked at any time by the European Parliament or by the Council. A decision of revocation 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.*
- 3. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.*
- 4. A delegated act adopted pursuant to Article 23 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and 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 the Council.

Justification

Pending an international agreement on the adoption of global measures, it is not appropriate to allow the Commission to short-circuit the co-legislators by means of excessive delegated powers and implementing powers.

Amendment 42

**Proposal for a regulation
Article 25**

Text proposed by the Commission

Amendment

Article 25

deleted

Implementing acts

1. The Commission shall be assisted by the Committee established by Article 8 of Decision 93/389/EC. That Committee shall be a committee within the meaning of Regulation (EU) N° 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Justification

Pending an international agreement on the adoption of global measures, it is not appropriate to allow the Commission to short-circuit the co-legislators by means of excessive delegated powers and implementing powers.

Amendment 43

**Proposal for a regulation
Article 27**

Text proposed by the Commission

Amendment

This Regulation shall enter into force on 1 July 2015.

This Regulation shall enter into force on 1 July 2014.

Amendment 44

Proposal for a regulation
Annex II

Text proposed by the Commission

Amendment

[...]

deleted

PROCEDURE

Title	Monitoring, reporting and verification of carbon dioxide emissions from maritime transport and amendment of Regulation (EU) No 525/2013
References	COM(2013)0480 – C7-0201/2013 – 2013/0224(COD)
Committee responsible Date announced in plenary	ENVI 4.7.2013
Opinion by Date announced in plenary	ITRE 4.7.2013
Rapporteur Date appointed	Marita Ulvskog 4.9.2013
Date adopted	9.1.2014
Result of final vote	+: 24 -: 14 0: 1
Members present for the final vote	Josefa Andrés Barea, Jean-Pierre Audy, Ivo Belet, Bendt Bendtsen, Jan Březina, Maria Da Graça Carvalho, Pilar del Castillo Vera, Christian Ehler, Norbert Glante, Fiona Hall, Kent Johansson, Romana Jordan, Marisa Matias, Jaroslav Paška, Miloslav Ransdorf, Herbert Reul, Jens Rohde, Paul Rübig, Amalia Sartori, Konrad Szymański, Patrizia Toia, Evžen Tošenovský, Claude Turmes, Marita Ulvskog, Vladimír Urutchev, Alejo Vidal-Quadras, Zbigniew Zaleski
Substitute(s) present for the final vote	Jerzy Buzek, Elisabetta Gardini, Françoise Grossetête, Cristina Gutiérrez-Cortines, Satu Hassi, Jolanta Emilia Hibner, Seán Kelly, Zofija Mazej Kukovič, Vladko Todorov Panayotov, Lambert van Nistelrooij
Substitute(s) under Rule 187(2) present for the final vote	Sandrine Bélier, Jean Lambert