



**2019/0017(COD)**

24.1.2020

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## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2015/757 in order to take appropriate account of the global data collection system for ship fuel oil consumption data (COM(2019)0038 – C8-0034/2019 – 2019/0017(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Jutta Paulus

### ***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.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2015/757 in order to take appropriate account of the global data collection system for ship fuel oil consumption data (COM(2019)0038 – C8-0034/2019 – 2019/0017(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2019)0038),
  - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0143/2019),
  - 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 Committee of 15 May 2019<sup>1</sup>,
  - after consulting the Committee of the Regions,
  - 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 (A9-0000/2020),
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.

### **Amendment 1**

#### **Proposal for a regulation**

##### **Recital -1 (new)**

*Text proposed by the Commission*

*Amendment*

***(-1) The existential threat posed by climate change requires enhanced***

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<sup>1</sup> OJ C 240, 16.7.2019, p. 41

*ambition and increased climate action by the Union and at global level. The Union is committed to stepping up efforts to tackle climate change and to delivering on the implementation of the Paris Agreement<sup>1a</sup> in line with the latest available science. The Intergovernmental Panel on Climate Change special report of 2018 entitled: ‘Global warming of 1.5°C’ confirmed that significant emissions reductions in all sectors are crucial to limit global warming to under 1,5°C.*

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<sup>1a</sup> Paris Agreement (OJ L 282, 19.10.2016, p.4)

Or. en

## Amendment 2

### Proposal for a regulation

#### Recital 1

*Text proposed by the Commission*

(1) Maritime transport has *an* impact on *the global* climate, as a result of carbon dioxide (CO<sub>2</sub>) emissions from shipping. In 2015, it emitted 13% of the total Union greenhouse gas emissions from transport<sup>15</sup>. International maritime shipping remains the only means of transportation not included in the Union's commitment to reduce greenhouse gas emissions.

*Amendment*

(1) Maritime transport has *a direct* impact on climate *change and on air quality*, as a result of carbon dioxide (CO<sub>2</sub>) emissions from shipping *and other emissions that it generates, such as nitrogen oxides, sulphur oxides, methane, particulate matter and black carbon*. In 2015, it emitted 13% of the Union's total greenhouse gas emissions from transport<sup>15</sup>. *Maritime emissions are expected to increase by 86% above 1990 levels by 2050 unless further action is taken, despite the adoption of minimum ship efficiency standards by the International Maritime Organisation (IMO)*. International maritime shipping remains the only means of transportation not included in the Union's commitment to reduce greenhouse gas emissions. *Without further action to integrate maritime*

*emissions into the Union's economy-wide and domestic greenhouse gas emissions targets, the projected increase in maritime emissions seriously risks endangering efforts taken by other sectors to reach the objective of becoming climate-neutral as soon as possible and by 2050 at the latest.*

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<sup>15</sup> <https://www.eea.europa.eu/data-and-maps/indicators/transport-emissions-of-greenhouse-gases/transport-emissions-of-greenhouse-gases-10>.

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<sup>15</sup> <https://www.eea.europa.eu/data-and-maps/indicators/transport-emissions-of-greenhouse-gases/transport-emissions-of-greenhouse-gases-10>.

Or. en

### Amendment 3

#### Proposal for a regulation

##### Recital 2

*Text proposed by the Commission*

(2) All sectors of the economy should contribute to the **reduction of greenhouse gas** emissions in line with the **commitment of the co-legislators as expressed in Regulation (EU) 2018/842 of the European Parliament and of the Council<sup>16</sup> and Directive (EU) 2018/410 of the European Parliament and of the Council<sup>17</sup>**.

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<sup>16</sup> **Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).**

<sup>17</sup> **Directive (EU) 2018/410 of the European Parliament and of the Council of 14 March 2018 amending Directive 2003/87/EC to enhance cost-effective**

*Amendment*

(2) All sectors of the economy should contribute to the **joint effort to complete the transition to net-zero greenhouse gas (GHG) emissions as soon as possible and by 2050 at the latest** in line with the **Union's commitments under the Paris Agreement and the European Council conclusions on climate change of 12 December 2019**.

*emission reductions and low-carbon investments, and Decision (EU) 2015/1814 (OJ L 76, 19.3.2018, p. 3).*

Or. en

#### Amendment 4

##### Proposal for a regulation Recital 3

*Text proposed by the Commission*

(3) The European Parliament's ***Resolution of February 2014 on a 2030 framework for climate and energy policies*** called on the Commission and the Member States to ***set a*** binding Union 2030 target of reducing greenhouse gas emissions by ***at least 40%*** compared to 1990 levels. The European Parliament also noted that all sectors of the economy would need to contribute to the reduction of greenhouse gas emissions if the Union is to deliver its fair share of global efforts.

*Amendment*

(3) The ***resolutions of the European Parliament of 14 March 2019 on climate change and of 28 November 2019 on the climate and environmental emergency stressed the need for immediate and ambitious action with a view to reaching climate neutrality as soon as possible and by 2050 at the latest, and*** called on the Commission and the Member States to ***increase the*** binding Union 2030 target of reducing greenhouse gas emissions by ***55%*** compared to 1990 levels. The European Parliament also noted that all sectors of the economy, ***including international aviation and maritime transport,*** would need to contribute to the reduction of greenhouse gas emissions if the Union is to deliver its fair share of global efforts.

Or. en

#### Amendment 5

##### Proposal for a regulation Recital 3 a (new)

*Text proposed by the Commission*

*Amendment*

***(3 a) The resolution of the European Parliament of 28 November 2019 on the 2019 UN Climate Change Conference (COP25) also stressed the need for***



*additional Union actions to address GHG emissions from the maritime sector in light of slow and insufficient progress at the IMO. The European Parliament supported, in particular, the inclusion of the maritime sector in the Union system for greenhouse gas emission allowance trading (the 'EU ETS'), as well as the introduction of ship efficiency standards at Union level.*

Or. en

## **Amendment 6**

### **Proposal for a regulation**

#### **Recital 4**

*Text proposed by the Commission*

*Amendment*

*(4) In its Conclusions of 24 October 2014, the European Council endorsed a binding Union target of an at least 40% domestic reduction in greenhouse gas emissions by 2030 compared to 1990. The European Council also stated the importance of reducing greenhouse gas emissions and risks related to fossil fuel dependency in the transport sector and invited the Commission to examine further instruments and measures for a comprehensive and technology-neutral approach, including for the promotion of emissions reduction, renewable energy sources, and energy efficiency in transport.*

*deleted*

Or. en

## **Amendment 7**

### **Proposal for a regulation**

#### **Recital 5 a (new)**

***(5 a) The communication of the Commission of 11 December 2019 on the European Green Deal, which sets out a roadmap of key policies and measures for the Union to become the first climate-neutral continent by 2050 at the latest. The communication confirmed further action at Union level will be needed to address GHG emissions from the maritime sector, including its inclusion in the EU ETS.***

Or. en

## Amendment 8

### Proposal for a regulation

#### Recital 6

Text proposed by the Commission

(6) In April 2015, the European Parliament and the Council adopted Regulation (EU) 2015/757 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport<sup>20</sup> (the “EU MRV Regulation”), which was complemented in 2016 with two Delegated Regulations<sup>21</sup> and two Implementing Regulations<sup>22</sup>. The aim of the EU MRV Regulation is to collect data on shipping emissions for further policymaking and to incentivise emission reductions by providing information on ships' efficiency to relevant markets. The EU MRV Regulation obliges companies to monitor, report and verify the fuel consumption, CO<sub>2</sub> emissions and energy efficiency of their ships on voyages to and from European Economic Area (EEA) ports on an annual basis, starting from 2018. It also applies to CO<sub>2</sub> emissions within EEA ports. The first emissions reports **are due by 30 April 2019**.

Amendment

(6) In April 2015, the European Parliament and the Council adopted Regulation (EU) 2015/757 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport<sup>20</sup> (the “EU MRV Regulation”), which was complemented in 2016 with two Delegated Regulations<sup>21</sup> and two Implementing Regulations<sup>22</sup>. The aim of the EU MRV Regulation is to collect data on shipping emissions for further policymaking and to incentivise emission reductions by providing information on ships' efficiency to relevant markets. ***The EU MRV Regulation was adopted as a first step in a staged approach for the inclusion of maritime transport emissions as part of the Union's GHG reduction commitments and for the pricing subsequently of those emissions in line with the 'polluter pays' principle. When the EU MRV Regulation was adopted, the Commission committed to considering, in***

*the context of future legislative proposals on maritime emissions, which next steps would be appropriate to ensure that the sector would make a fair contribution to the Union's emission reduction objectives, in particular the possibility of extending the EU ETS to the maritime sector. The EU MRV Regulation obliges companies to monitor, report and verify the fuel consumption, CO<sub>2</sub> emissions and energy efficiency of their ships on voyages to and from European Economic Area (EEA) ports on an annual basis, starting from 2018. It also applies to CO<sub>2</sub> emissions within EEA ports. The first emissions reports **were published on 30 June 2019.***

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<sup>20</sup> Regulation (EU) 2015/757 of the European Parliament and the Council of 29 April 2015 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport and amending Directive 2009/16/EC, (OJ L 123, 19.5.2015, p. 55).

<sup>21</sup> Commission Delegated Regulation (EU) 2016/2072 on the verification activities and accreditation of verifiers pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport (OJ L 320, 26.11.2016, p. 5); Commission Delegated Regulation (EU) 2016/2071 of 22 September 2016 amending Regulation (EU) 2015/757 of the European Parliament and of the Council as regards the methods for monitoring carbon dioxide emissions and the rules for monitoring other relevant information (OJ L 320, 26.11.2016, p. 1).

<sup>22</sup> Commission Implementing Regulation (EU) 2016/1927 of 4 November 2016 on templates for monitoring plans, emissions reports and documents of compliance pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on monitoring, reporting and

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<sup>20</sup> Regulation (EU) 2015/757 of the European Parliament and the Council of 29 April 2015 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport and amending Directive 2009/16/EC, (OJ L 123, 19.5.2015, p. 55).

<sup>21</sup> Commission Delegated Regulation (EU) 2016/2072 on the verification activities and accreditation of verifiers pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport (OJ L 320, 26.11.2016, p. 5); Commission Delegated Regulation (EU) 2016/2071 of 22 September 2016 amending Regulation (EU) 2015/757 of the European Parliament and of the Council as regards the methods for monitoring carbon dioxide emissions and the rules for monitoring other relevant information (OJ L 320, 26.11.2016, p. 1).

<sup>22</sup> Commission Implementing Regulation (EU) 2016/1927 of 4 November 2016 on templates for monitoring plans, emissions reports and documents of compliance pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on monitoring, reporting and

verification of carbon dioxide emissions from maritime transport (OJ L 299, 5.11.2016, p. 1–21); Commission Implementing Regulation (EU) 2016/1928 of 4 November 2016 on determination of cargo carried for categories of ships other than passenger, ro-ro and container ships pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport (OJ L 299, 5.11.2016, p. 22–25)

verification of carbon dioxide emissions from maritime transport (OJ L 299, 5.11.2016, p. 1–21); Commission Implementing Regulation (EU) 2016/1928 of 4 November 2016 on determination of cargo carried for categories of ships other than passenger, ro-ro and container ships pursuant to Regulation (EU) 2015/757 of the European Parliament and of the Council on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport (OJ L 299, 5.11.2016, p. 22–25)

Or. en

## Amendment 9

### Proposal for a regulation Recital 7

#### *Text proposed by the Commission*

(7) Article 22 of the EU MRV Regulation states that the Commission will, in the event of an international agreement on a global monitoring, reporting and verification system, review the EU MRV Regulation and, if appropriate, propose amendments in order to ensure **alignment** with that international agreement.

#### *Amendment*

(7) Article 22 of the EU MRV Regulation states that the Commission will, in the event of an international agreement on a global monitoring, reporting and verification system **or on global measures to reduce GHG emissions from maritime transport**, review the EU MRV Regulation and, if appropriate, propose amendments in order to ensure **consistency** with that international agreement.

Or. en

## Amendment 10

### Proposal for a regulation Recital 8

#### *Text proposed by the Commission*

(8) Under the Paris Agreement that was adopted in December 2015 at the 21st

#### *Amendment*

(8) Under the Paris Agreement that was adopted in December 2015 at the 21st

Conference of the Parties of the United Nations Framework Convention on Climate Change (UNFCCC)<sup>23</sup>, the Union and its Member States have undertaken an economy-wide reduction target. Efforts to limit international maritime emissions through the International Maritime Organisation (IMO) are under way and should be encouraged. The IMO adopted<sup>24</sup> in October 2016 a data collection system for fuel oil consumption of ships ("the global IMO DCS").

Conference of the Parties of the United Nations Framework Convention on Climate Change (UNFCCC)<sup>23</sup>, the Union and its Member States have undertaken an economy-wide reduction target. Efforts to limit international maritime emissions through the International Maritime Organisation (IMO) are under way and should be encouraged. The IMO adopted<sup>24</sup> in October 2016 a data collection system for fuel oil consumption of ships ("the global IMO DCS"). ***The IMO also adopted on 13 April 2018 an initial strategy on the reduction of GHG emissions from ships, seeking to cap the increase of those emissions as soon as possible and to reduce them by at least 50% by 2050 compared to 2008, and to pursue efforts towards phasing them out entirely. At the same time, the Member States and Associated Members of the IMO committed to reducing CO<sub>2</sub> emissions per transport work, as an average across international shipping, by at least 40% by 2030, pursuing efforts towards a 70% reduction by 2050.***

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<sup>23</sup> Paris Agreement (OJ L 282, 19.10.2016, p. 4–18).

<sup>24</sup> IMO Resolution MEPC.278(70) amending MARPOL Annex VI.

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<sup>23</sup> Paris Agreement (OJ L 282, 19.10.2016, p. 4–18).

<sup>24</sup> IMO Resolution MEPC.278(70) amending MARPOL Annex VI.

Or. en

## Amendment 11

### Proposal for a regulation Recital 10

#### *Text proposed by the Commission*

(10) The impact assessment indicated that a partial alignment of the two monitoring, reporting and verification systems could contribute to reducing the administrative burden for shipping

#### *Amendment*

(10) The impact assessment indicated that a partial alignment of the two monitoring, reporting and verification systems could contribute to reducing the administrative burden for shipping

companies, while preserving the key objectives of the EU MRV Regulation. Such a partial alignment should however not modify the governance, *scope*, verification, transparency or CO<sub>2</sub> reporting requirements of the EU MRV Regulation as it would severely undermine its objectives and affect its capacity to inform future policy-making decisions and to incentivise the uptake of energy efficiency measures and behaviours in shipping. Any amendments to the EU MRV Regulation should therefore limit the alignment with the global IMO DCS in relation to definitions, monitoring parameters, monitoring plans and templates.

companies, while preserving the key objectives of the EU MRV Regulation. Such a partial alignment should however not modify the governance, verification, transparency or CO<sub>2</sub> reporting requirements of the EU MRV Regulation as it would severely undermine its objectives and affect its capacity to inform future policy-making decisions and to incentivise the uptake of energy efficiency measures and behaviours in shipping. Any amendments to the EU MRV Regulation should therefore limit the alignment with the global IMO DCS in relation to *ships covered*, definitions, monitoring parameters, monitoring plans and templates.

Or. en

## Amendment 12

### Proposal for a regulation

#### Recital 12

##### *Text proposed by the Commission*

(12) Global IMO DCS provisions on data to be monitored and reported annually should be taken into account so as to ensure that streamlined data is collected for ships' activities falling under both systems. In order to do so, the parameter "deadweight tonnage" should be reported **but** "cargo carried" **should remain on a voluntary basis**. "Time at sea" should be replaced by the global IMO DCS definition of "hours underway". Finally, calculation of "distance travelled" should be based on global IMO DCS<sup>25</sup> to reduce administrative burden.

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<sup>25</sup> IMO Resolution MEPC 282 (70).

##### *Amendment*

(12) Global IMO DCS provisions on data to be monitored and reported annually should be taken into account so as to ensure that streamlined data is collected for ships' activities falling under both systems. In order to do so, the parameter "deadweight tonnage" should be reported **alongside the parameter** "cargo carried". "Time at sea" should be replaced by the global IMO DCS definition of "hours underway". Finally, calculation of "distance travelled" should be based on global IMO DCS<sup>25</sup> to reduce administrative burden.

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<sup>25</sup> IMO Resolution MEPC 282 (70).

Or. en

## Amendment 13

### Proposal for a regulation Recital 13 a (new)

*Text proposed by the Commission*

*Amendment*

***(13 a) Removing market barriers in the maritime sector, including the use of a transparent and robust MRV system, would contribute to the uptake of energy efficiency technologies, and thereby reduce maritime emissions by about 2% by 2030. For the maritime sector to contribute fully to the transformation of the entire transport sector into a sector with zero emissions, further action is therefore necessary. The scope of the MRV Regulation should, therefore, be extended to include binding requirements for companies to reduce their GHG emissions per transport work.***

Or. en

## Amendment 14

### Proposal for a regulation Recital 13 b (new)

*Text proposed by the Commission*

*Amendment*

***(13 b) Given the results of the impact assessment accompanying the Commission proposal for the MRV Regulation, which showed that all options other than an EU ETS for maritime emissions would fall short of delivering emissions reductions in a manner that would be consistent with the white paper of the Commission of 28 March 2011 entitled: 'Roadmap to a single European Transport Area', Directive 2003/87/EC of the European Parliament and of the Council<sup>1a</sup> should be extended to cover***



*maritime emissions.*

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*<sup>1a</sup> Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L275, 25.10.2003, p. 32).*

Or. en

## **Amendment 15**

### **Proposal for a regulation Recital 13 c (new)**

*Text proposed by the Commission*

*Amendment*

*(13 c) The successful transition to zero-emission shipping requires an integrated approach and the right enabling environment to stimulate innovation, both on ships and in ports. That enabling environment involves public and private investment in research and innovation, technological and operational measures to improve the energy efficiency of ships, and the deployment of sustainable alternative fuels and propulsion technologies, including the necessary refuelling and recharging infrastructure in ports. A Maritime Transport Decarbonisation Fund should be established from revenues generated from the auctioning of maritime allowances under the EU ETS to improve the energy efficiency of ships and support investment in innovative technologies and infrastructure to decarbonise maritime transport, including in short sea shipping and ports, and the deployment of sustainable alternative fuels and zero-emission propulsion technologies. The Commission should also develop measures to regulate the access of the*



*most polluting ships to Union ports and to oblige docked fossil-fuel ships to use shore-side electricity. The Commission should also require ports to adopt demurrage tariffs based on emissions.*

Or. en

## Amendment 16

### Proposal for a regulation Recital 14 a (new)

*Text proposed by the Commission*

*Amendment*

*(14 a) In order to ensure that a high quality of data can be maintained and that data is published in the THETIS-MRV register, the European Maritime Safety Agency should be given the necessary powers and resources to be able to check emissions reported by verifiers.*

Or. en

## Amendment 17

### Proposal for a regulation Recital 15

*Text proposed by the Commission*

*Amendment*

(15) The objective of Regulation (EU) 2015/757 is to monitor, report and verify CO<sub>2</sub> emissions from ships calling at EEA ports *as the first step of a staged approach* to reduce greenhouse gas emissions. This cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level. The global IMO DCS should be taken into account and this Regulation ensures the continued comparability and reliability of collected data based on a single set of requirements. The Union may

(15) The objective of Regulation (EU) 2015/757 is to monitor, report and verify CO<sub>2</sub> emissions from ships calling at EEA ports *in order to reduce operational carbon intensity per transport work and to price those emissions so as* to reduce greenhouse gas emissions *from the maritime sector*. This cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level. The global IMO DCS should be taken into account and this Regulation ensures the

adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

continued comparability and reliability of collected data based on a single set of requirements. The Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

Or. en

## **Amendment 18**

### **Proposal for a regulation Article 1 – title (new)**

*Text proposed by the Commission*

*Amendment*

***Amendments to Regulation (EU)  
2015/757***

Or. en

## **Amendment 19**

### **Proposal for a regulation Article 1 – paragraph -1 (new)**

*Text proposed by the Commission*

*Amendment*

***Regulation (EU) 2015/757 is amended as follows:***

Or. en

## **Amendment 20**

### **Proposal for a regulation Article 1 – paragraph -1 a (new) Regulation (EU) 2015/757 Article 1**

*Present text*

*Amendment*

Article 1

Subject matter

This Regulation lays down rules for the accurate monitoring, reporting and verification of **carbon dioxide (CO<sub>2</sub>)** emissions and of other 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 CO<sub>2</sub> emissions from maritime transport in a cost effective manner.**

**(-1a) Article 1 is replaced by the following:**

"Article 1

Subject matter

This Regulation lays down rules for the accurate monitoring, reporting and verification of **greenhouse gas (GHG)** emissions and of other relevant information from ships arriving at, within or departing from ports under the jurisdiction of a Member State.

***In order to contribute to achieving the Union's commitment to reducing its domestic and economy-wide GHG emissions under the Paris Agreement, and to implement the IMO Initial Strategy at Union level, this Regulation also imposes obligations on companies to reduce their CO<sub>2</sub> emissions per transport work by at least 40% by 2030 compared to the average performance per category of ships of the same size and type in the first reporting period as referred to in Article 8. "***

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)

**Amendment 21**

**Proposal for a regulation**

**Article 1 – paragraph -1 b (new)**

Regulation (EU) 2015/757

Article 2 – paragraph 1

*Present text*

*Amendment*

**(-1 b) Article 2(1) is replaced by the following:**

1. This Regulation applies to ships **above** 5 000 gross tonnage in respect of **CO2** emissions released during their voyages from their last port of call to a port of call under the jurisdiction of a Member State and from a port of call under the jurisdiction of a Member State to their next port of call, as well as within ports of call under the jurisdiction of a Member State.

"1. This Regulation applies to ships **of** 5 000 gross tonnage **and above** in respect of **GHG** emissions released during their voyages from their last port of call to a port of call under the jurisdiction of a Member State and from a port of call under the jurisdiction of a Member State to their next port of call, as well as within ports of call under the jurisdiction of a Member State. "

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)

## Amendment 22

### Proposal for a regulation

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

Regulation (EU) 2015/757

Article 3 – point a a (new)

*Text proposed by the Commission*

*Amendment*

*(-a) the following point is inserted:*

*“(aa) 'greenhouse gas emissions' means the release of greenhouse gases by ships, as listed in Annex II of Directive 2003/87/EC of the European Parliament and of the Council\**

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*\* Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC(OJ L 275 25.10.2003, p. 32) ”;*

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)

## Amendment 23

### Proposal for a regulation

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

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*Present text*

(b) ‘port of call’ means the port where a ship stops to load or unload cargo or to embark or disembark passengers; consequently, stops for the sole purposes of refuelling, obtaining supplies, relieving the crew, going into dry-dock or making repairs to the ship and/or its equipment, stops in port because the ship is in need of assistance or in distress, ship-to-ship transfers carried out outside ports, and stops for the sole purpose of taking shelter from adverse weather or rendered necessary by search and rescue activities are excluded;

*Amendment*

***(-a a) point (b) is replaced by the following:***

"(b) ‘port of call’ means the port where a ship stops to load or unload ***a substantial part of its*** cargo or to embark or disembark passengers; consequently, stops for the sole purposes of refuelling, obtaining supplies, relieving the crew, going into dry-dock or making repairs to the ship and/or its equipment, stops in port because the ship is in need of assistance or in distress, ship-to-ship transfers carried out outside ports, and stops for the sole purpose of taking shelter from adverse weather or rendered necessary by search and rescue activities are excluded; "

Or. en

*(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)*

## **Amendment 24**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 a (new)**

Regulation (EU) 2015/757

Article 5 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) In Article 5, the following paragraph is added:***

***“2a. By 31 December 2021, the Commission shall adopt delegated acts in accordance with Article 23, in order to supplement this Regulation by further specifying the methods for the reporting of greenhouse gas emissions other than CO<sub>2</sub> emissions.”***

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)

## Amendment 25

### Proposal for a regulation

#### Article 1 – paragraph 3 – point a

Regulation (EU) 2015/757

Article 9 – paragraph 1 – point f

*Text proposed by the Commission*

*Amendment*

(f) *cargo carried, on a voluntary basis;*

*deleted*

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)

## Amendment 26

### Proposal for a regulation

#### Article 1 – paragraph 5 – point a

Regulation (EU) 2015/757

Article 11 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Where there is a change of company, the previous company shall submit to the Commission and to the authorities of the flag State concerned, *as close as practical to* the day of *the* completion of the change and no later than *three months* thereafter, a report covering the same elements as the emissions report but limited to the period corresponding to the activities carried out under its responsibility.;

2. Where there is a change of company, the previous company shall submit to the Commission and to the authorities of the flag State concerned, *on* the day of completion of the change *or as close as practical thereto* and no later than *one month* thereafter, a report covering the same elements as the emissions report but limited to the period corresponding to the activities carried out under its responsibility.;

Or. en

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)

## **Amendment 27**

### **Proposal for a regulation**

#### **Article 1 – paragraph 5 a (new)**

Regulation (EU) 2015/757

Chapter II a (new) – Article 12 a (new)

*Text proposed by the Commission*

*Amendment*

**(5 a) The following chapter is inserted:**

**« CHAPTER IIa**

**EMISSIONS REDUCTION**

**Article 12a**

***Emissions reduction requirements***

**1. Companies shall reduce their annual CO<sub>2</sub> emissions per transport work by at least 40% by 2030, compared to the average performance per category of ships of the same size and type in the first reporting period as referred to in Article 8.**

**2. The Commission is empowered to adopt delegated acts in accordance with Article 23 to supplement this Regulation by further specifying the rules for the compliance and verification of compliance with the requirements set out in paragraph 1 of this Article, including the possibility of applying an annual linear or degressive reduction or intermediate targets up to 2030, and for the determination of the appropriate size categories for the relevant ships.”**

Or. en

*(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)*

## **Amendment 28**

### **Proposal for a regulation**

#### **Article 1 – paragraph 5 b (new)**

Regulation (EU) 2015/757

Article 20 – paragraph 1

*Present text*

1. Member States shall set up a system of penalties for failure to comply with the monitoring and reporting obligations set out in Articles 8 to 12 and shall take all the measures necessary to ensure that those penalties are imposed. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by 1 July **2017**, and shall notify to the Commission without delay any subsequent amendments.

*Amendment*

**(5 b) in Article 20, paragraph 1 is replaced by the following:**

"1. Member States shall set up a system of penalties for failure to comply with the monitoring and reporting obligations set out in Articles 8 to 12, **and with the requirements set out in Article 12a**, and shall take all the measures necessary to ensure that those penalties are imposed. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by 1 July **2021**, and shall notify to the Commission without delay any subsequent amendments."

Or. en

*(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)*

**Amendment 29**

**Proposal for a regulation**

**Article 1 – paragraph 6 a (new)**

Regulation (EU) 2015/757

Article 22 – paragraph 3

*Text proposed by the Commission*

*Amendment*

**(6 a) in Article 22, paragraph 3 is deleted;**

Or. en

*(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)*

**Amendment 30**

**Proposal for a regulation**

**Article 1 – paragraph 6 b (new)**

Regulation (EU) 2015/757

Article 22 a (new)



(6 b) *the following article is inserted:*

*"Article 22a*

*Review*

*1. By 31 December 2022, the Commission shall review the functioning of this Regulation, taking into account experience gained in its implementation, as well as other relevant developments aimed at reducing GHG emissions from maritime transport and at fulfilling the Union's commitments under the Paris Agreement. As part of the review, the Commission shall propose additional requirements to reduce air pollutants from ships. The review shall, where appropriate, be accompanied by a proposal to amend this Regulation.*

*2. As part of the forthcoming review of Directive 2014/94/EU of the European Parliament and of the Council\* and Regulation (EU) No 1315/2013 of the European Parliament and of the Council\*\*, the Commission shall also set up binding targets for Member States to ensure that there is an adequate supply of shore-side electricity in maritime and inland ports.*

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*\* Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1)*

*\*\* Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1) "*

Or. en

## Amendment 31

### Proposal for a regulation

#### Article 1 – paragraph 6 c (new) – point a (new)

Regulation (EU) 2015/757

Article 23 – paragraph 2

#### *Present text*

2. The power to adopt delegated acts referred to in Articles 5(2), 15(5) and 16(3) shall be conferred on the Commission for a period of five years from 1 July 2015. 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.

#### *Amendment*

**(6 c) Article 23 is amended as follows:**

**(a) paragraph 2 is replaced by the following:**

"2. The power to adopt delegated acts referred to in Articles 5(2), 5(3), 12a(2), 15(5) and 16(3) shall be conferred on the Commission for a period of five years from 1 July 2015. 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. "

Or. en

## Amendment 32

### Proposal for a regulation

#### Article 1 – paragraph 6 c (new) – point b (new)

Regulation (EU) 2015/757

Article 23 – paragraph 3

#### *Present text*

3. The delegation of power referred to in Articles 5(2), 15(5) and 16(3) may be revoked at any time by the European

#### *Amendment*

**(b) paragraph 3 is replaced by the following:**

"3. The delegation of power referred to in Articles 5(2), 5(3), 12a(2), 15(5) and 16(3) may be revoked at any time by the

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.

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. "

Or. en

*(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)*

### **Amendment 33**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 6 c (new) – point c (new)**

Regulation (EU) 2015/757

Article 23 – paragraph 5

#### *Present text*

5. A delegated act adopted pursuant to Articles 5(2), 15(5) and 16(3) 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 of the Council.

#### *Amendment*

#### *(c) paragraph 5 is replaced by the following:*

"5. A delegated act adopted pursuant to Articles 5(2), **5(3), 12a(2)**, 15(5) and 16(3) 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 of the Council.  
"

Or. en

*(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32015R0757>)*

## **Amendment 34**

### **Proposal for a regulation**

#### **Article 1 a (new)**

Directive 2003/87/EC

Chapter II a (new)

*Text proposed by the Commission*

*Amendment*

#### **Article 1 a**

*Amendments to Directive 2003/87/EC*

*Directive 2003/87/EC is amended as follows:*

*(1) the following chapter is inserted:*

**CHAPTER IIa**

**MARITIME TRANSPORT**

#### **Article 3ga**

##### **Scope**

*The provisions of this Chapter shall apply from 1 January 2021 to the allocation and issue of allowances in respect of carbon dioxide (CO<sub>2</sub>) emissions from ships covered by Regulation (EU) 2015/757 of the European Parliament and of the Council\*.*

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*\*Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport, and amending Directive 2009/16/EC (OJ L 123 19.5.2015, p. 55).*

#### **Article 3gb**

*Total quantity and method of allocation of allowances for maritime transport*

*1. By 1 December 2020, the Commission shall adopt delegated acts in accordance with Article 23 to supplement this Directive by setting the total quantity of allowances for maritime transport in line with other sectors and the method of allocation of allowances for maritime*

*transport through auctioning, as well as laying down the special provisions with regard to the administering Member State.*

*2. Articles 12 and 16 shall apply to allowances for maritime transport in the same manner as to allowances related to other activities.*

*3. At least 30% of the revenues generated from the auctioning of allowances referred to in paragraph 1 of this Article shall be used through the fund established under Article 3gc to improve the energy efficiency of ships and support investment in innovative technologies and infrastructure to decarbonise maritime transport, including in short sea shipping and ports, and the deployment of sustainable alternative fuels and zero-emission propulsion technologies.*

#### *Article 3gc*

##### *Maritime Transport Decarbonisation Fund*

*1. A Maritime Transport Decarbonisation Fund ('the Fund') shall be established for the period from 2021 to 2030 to improve the energy efficiency of ships and support investment in innovative technologies and infrastructure to decarbonise maritime transport, including in short sea shipping and ports, and the deployment of sustainable alternative fuels and zero-emission propulsion technologies.*

*2. By way of derogation from Article 12 of this Directive, maritime transport companies may pay an annual membership contribution to the Fund in accordance with their total emissions reported for the preceding calendar year under Regulation (EU) 2015/757. The Fund shall surrender allowances collectively on behalf of maritime transport companies that are members of the Fund. The contribution per tonne of emissions shall be set by the Fund by 28*

*February each year, but shall be at least equal to the market price for allowances in the preceding year.*

*3. The Fund shall acquire allowances equal to the collective total quantity of contributions referred to in paragraph 2 of this Article during the preceding calendar year and surrender them to the registry established under Article 19 of this Directive by 30 April each year for subsequent cancellation. Information on contributions shall be made available to the public.*

*4. The Fund shall invest in improving the energy efficiency of ships and support innovative technologies and infrastructure to decarbonise maritime transport, including in short sea shipping and ports, and the deployment of sustainable alternative fuels and zero-emission propulsion technologies, through the revenues referred to in paragraph 3 of Article 3gb. All investment supported by the Fund shall be made public and be consistent with the aims of this Directive.*

*5. The Commission is empowered to adopt delegated acts in accordance with Article 23 to supplement this Directive concerning the implementation of this Article.*

Or. en

*(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32003L0087>)*

## EXPLANATORY STATEMENT

### Background

Since the first recognition of the greenhouse effect of carbon dioxide in 1856 by Eunice Foote and even more after quantification of the effect 1896 by Svante Arrhenius, it has been known that Earth's surface temperature is dependent on carbon dioxide concentration in the atmosphere.

Following numerous scientific reports and testimonies, the Kyoto Protocol recognized in 1997 that global warming was caused by humans and demanded the reduction of greenhouse gas emissions. Unfortunately, measures taken so far to combat climate change were not effective, as annual emissions have almost doubled since 1997. The last decade was the warmest ever recorded and the year 2019 was even the hottest year in Europe<sup>1</sup>. The same holds for the oceans that were never as warm as in 2019<sup>2</sup>. This shows why ambitious EU climate legislation is needed.

According to the latest IPCC report, there is a 66 % chance of staying below 1.5 C if future carbon emissions are limited to 420 Gt CO<sub>2</sub>eq – or 10 years of current emissions. Accordingly, the budget for a 50 % chance of staying below 1.5 C is 580 Gt CO<sub>2</sub>eq – 14 years of current emissions. The maritime transport sector alone emits globally around 940 Mt CO<sub>2</sub>eq annually, and is responsible for about 2.5 % of global GHG emissions. At Union level (i.e. for ships calling at EEA ports), CO<sub>2</sub> emissions from maritime transport increased by 48 % between 1990 and 2008, and are expected to reach up to 86 % above 1990 levels by 2050. The shipping sector is completely off track to contribute to the collective effort to reach net-zero emissions by 2050 at the latest. It is therefore not understandable why shipping remains the only mode of transport that is not expressly addressed by any EU emission reduction policy.

### International Maritime Organisation (IMO)

At the moment, ship operators have a reporting obligation to the EU (MRV)<sup>3</sup> and to the IMO (DCS)<sup>4</sup>. The rapporteur agrees that it is important that the EU and IMO reporting obligations are aligned. This, however, does not mean that EU standards should be lowered. On the contrary, better standards at global level are necessary. To give an example: In contrast to the EU MRV, the IMO is not collecting data on the cargo carried but on deadweight tonnage only. This measurement makes it very difficult, if not impossible to calculate the carbon footprint of the shipped goods. The IMO has promised for more than 20 years that it will tackle shipping emissions and has only introduced its Data Collection System after the EU has implemented the MRV Regulation. No real progress has been seen, which is why EU action is a necessity to achieve the Paris objective to limit the temperature increase to 1.5C above pre-industrial levels<sup>5</sup>.

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<sup>1</sup> European Commission, *Climate bulletin*, Copernicus <https://climate.copernicus.eu/climate-bulletins>

<sup>2</sup> *Advances in Atmospheric Sciences*

<sup>3</sup> Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport, and amending Directive 2009/16/EC

<sup>4</sup> The International Maritime Organization (IMO) adopted a mandatory Fuel Oil Data Collection System (DCS) for international shipping, requiring ships of 5,000 gross tonnage or above to start collecting and reporting data to an IMO database from 2019.

<sup>5</sup> UN General Assembly, *Paris Agreement*, 4 November 2016, Article 2(1) (a).



## **The European Union**

Since 1 January 2018, large ships (over 5000 gross tonnage) arriving to or departing from ports in the European Economic Area already have to monitor and report their CO<sub>2</sub> emissions, fuel consumption and other parameters, such as distance travelled, time at sea, etc., according to Regulation (EU) 2015/757 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport (thereafter the 'MRV Regulation'). The first available data<sup>6</sup> show that the 10,800 ships covered by the MRV Regulation emitted more than 130 million tonnes of CO<sub>2</sub> in 2018, which is more than the annual CO<sub>2</sub> emissions of Belgium!

The Commission has now published a proposal to review the MRV Regulation. This proposal however, is still only focusing on monitoring and reporting of data wherefore the rapporteur regards it as her responsibility to have a more ambitious draft report. We cannot afford to lose ever more time in combating climate change, we need to act now. The urgency for action was also reinforced by the European Parliament when it declared a climate emergency end of 2019. The Parliament explicitly asked the Commission to ensure that all relevant legislative proposals are fully aligned with the objective of limiting global warming under 1.5 °C.

## **The rapporteur's priorities**

The EU data collection system MRV is good. A main advantage over the IMO DCS is giving responsibility to the ship operator instead of the flag state: as soon as a ship is calling at an EEA port, it has to report its emissions. Now, however, is the momentum to actually use the collected data. Reliable information about emissions is important. However, information alone will not reduce greenhouse gas emissions. The European Commission in its impact assessment has also confirmed this. The main objective of this draft report is therefore to reduce the administrative effort for companies and administrations as far as possible, and, even more importantly, to reduce shipping emissions within the EEA.

## **ETS**

The European Parliament must take responsibility and transpose what Commission President Ursula von der Leyen has already proposed: the inclusion of maritime transport in the ETS system of the European Union. This would then also be in line with the Commission's Political Guidelines for the next five years. The rapporteur warmly welcomes the Commission's commitment in the Green Deal to broaden the scope of the EU Emissions trading scheme (ETS) to shipping.

Several attempts to regulate the shipping sector were already made over the past years, none of which was successful. The momentum to include shipping in the ETS is now. There will be no distortion of competition, as all flag states and all companies are treated in the same way. The scope of the regulation includes all intra-Union voyages, all incoming voyages from the last non-Union port to the first Union port of call and all outgoing voyages from an Union port to the next non-Union port of call<sup>7</sup>.

## **Maritime Transport Decarbonisation Fund**

The rapporteur would like to see the establishment of a maritime transport decarbonisation fund to foster research and development in the energy efficiency of ships and support investments in innovative technologies and infrastructure to decarbonise maritime transport, including short sea shipping and ports, and the deployment of sustainable fuels. The fund shall be established

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<sup>6</sup> [https://ec.europa.eu/clima/news/commission-publishes-information-co2-emissions-maritime-transport\\_en](https://ec.europa.eu/clima/news/commission-publishes-information-co2-emissions-maritime-transport_en)

<sup>7</sup> See Recital 14 of existing MRV Regulation



for the period from 2021 to 2030 and shall be financed from revenues of the ETS. Therefore, the rapporteur regards the establishment of the maritime fund elementary in order to make a real impact in not only emission reduction but also aiming for achieving zero emission technology.

### **Energy Efficiency**

The rapporteur takes note of the target set by the IMO to reduce CO<sub>2</sub> emissions per transport work by at least 40 % by 2030. The EU needs to lead by example by transposing this very much needed target into EU law, thereby ensuring that all ships calling at Union ports will deliver on their fair share to the fulfilment of the IMO Initial Strategy, while leaving sufficient flexibility for companies to decide on the operational or technological measures they wish to implement.

### **Zero Emission Ports**

The rapporteur sees a huge potential in shore-side electricity and zero emission ports. If ships at berth were required to switch-off their engines and connect to the land electricity grid or use other energy sources with equivalent effect, this measure would provide immediate health benefits to the citizens living in port areas. Therefore, the rapporteur calls on Commission to develop measures for this goal, i.e. setting targets for member states for deployment of shore side electricity.

### **Cargo carried and data transparency**

The rapporteur welcomes that the Commission has included transparency elements in the MRV proposal. The rapporteur, however, believes that the reporting of the parameter 'cargo carried' should remain compulsory in contrast to the Commission proposal. This is important to actually be able to check the efficiency of a journey and to calculate the carbon footprint of the transported goods. This measure will guarantee fairness and a level playing field for all stakeholders.

### **Extension of the scope to all GHG**

The rapporteur would like to see an extension of the scope to all greenhouse gases, not only CO<sub>2</sub>. Especially methane emissions have an enormous impact on climate change as greenhouse gas potential of methane is 87 compared to CO<sub>2</sub> on a 20-year timeframe and therefore stricter regulation is needed.