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signed by Mr Jordi AYET PUIGARNAU, Director

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To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

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Towards a Fitness Check of EU environmental monitoring and reporting: to  
ensure effective monitoring, more transparency and focused reporting of  
EU environment policy

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Delegations will find attached document SWD(2016) 188 final.

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Brussels, 27.5.2016  
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**COMMISSION STAFF WORKING DOCUMENT**

**Towards a Fitness Check of EU environmental monitoring and reporting:  
to ensure effective monitoring, more transparency and focused reporting of EU  
environment policy**

## 1. INTRODUCTION

We all want to know if the air we breathe and the water we drink are clean, if our beaches or lakes are clean, and about the quality of our local natural environment. We also need to know whether EU legislation meets its objectives, where it needs to be reinforced, and where it is not necessary anymore.

Monitoring<sup>1</sup> of EU environmental policy should look proportionately at the compliance with legal obligations, but also help us understand the causes and the extent of problems, and help define our responses<sup>2</sup>. This evidence is then usually transferred (reported) from the national or sub-national level to the EU level institutions. In this way, monitoring and reporting plays a fundamental role in providing information to citizens and policymakers on how well policy is delivering its environmental and social objectives, and at what cost.

This Fitness Check looks at the acquis managed by DG Environment. This includes almost 60 pieces of legislation and approximately 170 reporting obligations. It looks at reporting and regulatory monitoring, and excludes environmental monitoring in a wider sense. It assesses the obligations to report directly or indirectly to the EU level and excludes for now Member States' monitoring to ensure implementation. Changes in reporting to the EU level will generally lead to downstream changes for businesses and public authorities: a more focused approach at the EU level will allow MSs the flexibility to cut costs for businesses.

Whilst information is not always sufficiently available or based on rigorous enough evidence, there are also concerns over the administrative burden that monitoring and reporting create across EU policy areas<sup>3</sup>. A better understanding is needed to improve processes to ensure that we deliver results ("effectiveness") at minimum costs ("efficiency").

This Staff Working Document sets out the strategy and the ambition level of the Fitness Check of monitoring and reporting obligations in environment policy, and documents some early actions on streamlining reporting in this field. The double objective is:

- to further develop more modern, effective and efficient monitoring and reporting for EU environment policy as a necessary step towards delivering a better environment. This will reduce pressure on the public and private sector contributing to reporting, whilst also filling information gaps and thereby contributing to the Regulatory Fitness (REFIT) objectives;
- to contribute to the Commission's priority to create a Union for Democratic Change, making environmental information more visible and accessible to citizens, and achieving higher standards of transparency and accountability.

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<sup>1</sup> Monitoring is used here in the sense described in chapter V of the Better Regulation Guidelines (SWD(2015)111), i.e. in the sense of monitoring the application of legislation. This includes, but is wider than, monitoring of the environment (e.g. through sampling, etc.) and can also include modelled data or textual information.

<sup>2</sup> Often called the DPSIR model: drivers, pressures, states, impacts and responses

<sup>3</sup> See Better Regulation Communication (COM(2015)215)), p. 12.

The initiative is in line with the objectives of the 7<sup>th</sup> Environment Action Programme to improve implementation and the knowledge and evidence base for Union environment policy<sup>4</sup>. It will contribute to the implementation of the Digital Single Market Strategy, in particular the interoperability of e-government services across Member States as part of the free flow of data and interoperability initiatives. This will open up new opportunities for creating jobs and growth as environmental data can be an important source of 'big data' for businesses<sup>5</sup>. This initiative will also improve the sharing and re-use of data provided by Member States' public authorities (according to the principle of 'provide once, use often').

More specifically, our aims are:

- **lowering costs and reducing the burden for those providing and using the information**, e.g. by minimising reporting to where the needs are while ensuring the ease of access and use of the monitoring information;
- **better monitoring on the ground** as having the information we really need in a reliable, timely and comparable manner should lead to better implementation, compliance and accountability;
- **making the maximum use of the information that already exists**. Valuable information is collected in other policy areas and we can use it better, especially for analysis across policy areas;
- **increasing transparency and accountability** through open data, making information publicly available (in a user-friendly and easy-to-digest way) within the legal framework for protection and use of information;
- **comparing Member States' approaches** and performances demonstrating a comparable ambition and level playing field and allowing best practice to be shared;
- facilitating Better Regulation in the EU environmental policy cycle by **having a stronger evidence base** on the drivers and pressures on the environment, the state of the environment and our responses.

In short, we want to move towards effective monitoring, more transparency and focused reporting.

Information flows from the local level to the national level and on to the EU or international level need to be looked at so that the right information is collected, processed, validated and used in an effective and efficient manner. The Commission services will look at the whole information flow process and especially the interface it can influence most, which is the reporting.

In 1991, the Standardised Reporting Directive (SRD)<sup>6</sup> aimed secure coherence by bringing reporting obligations together in one piece of legislation. However, this proved

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<sup>4</sup> In particular, as set out in the priority objectives 4 and 5 of the 7<sup>th</sup> EAP which aim at improving the implementation, the knowledge and evidence base for Union environment policy.

<sup>5</sup> One example for such services combines weather forecasts with air quality data (see [www.plumelabs.com](http://www.plumelabs.com))

<sup>6</sup> Council Directive 91/692/EEC

to be unwieldy. Subsequent legislation introduced tailor-made approaches and reporting obligations were often laid down either in delegated or implementing acts or in informal agreements amongst the different stakeholders. Also, electronic tools and rapidly developing IT solutions have made old ways of working redundant (in the past, the SRD led to paper reports of several thousands of pages being sent to Brussels). Nowadays, the SRD has become an essentially obsolete administrative instrument. Hence, the Commission is now looking at the possibility to propose its repeal<sup>7</sup> as a first concrete deliverable in the context of this Fitness Check.

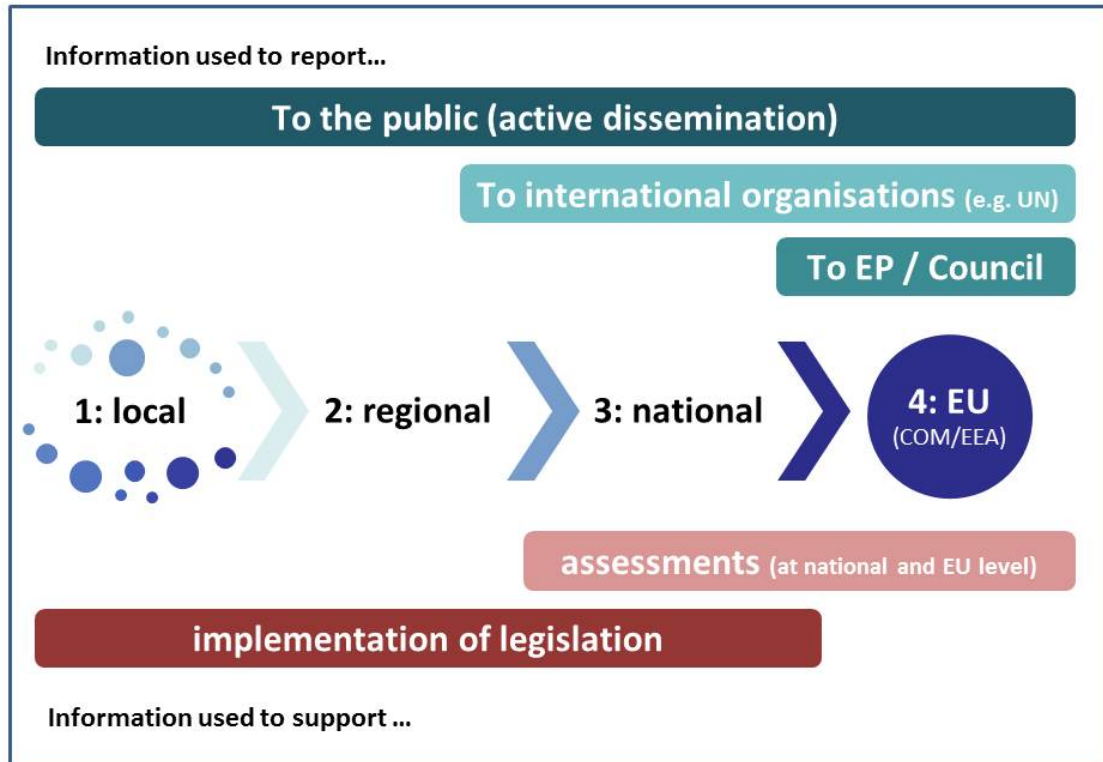


Figure 1: Information flow and uses from monitoring data at local level which is then reported to the different governance levels.

## 2. STAKEHOLDER CONSULTATIONS SHOWS THE NEED FOR ACTION

To get a picture of stakeholder views, the Commission launched an online public consultation from November 2015 to February 2016. Some 150 responses were received, mainly from public authorities, business and non-governmental organisations. Overall, 65% of the respondents were satisfied or fairly satisfied with the existing environmental monitoring and reporting obligations. A more detailed summary of the public consultation is available<sup>8</sup>, and will be reported as part of the Fitness Check in early 2017.

<sup>7</sup> See proposal COM(2015)610, Annex V, points 2 and 3

<sup>8</sup> A summary of the public consultation is published on the following web page:  
[http://ec.europa.eu/environment/legal/reporting/index\\_en.htm](http://ec.europa.eu/environment/legal/reporting/index_en.htm)

The most important statements<sup>9</sup> supported by a large majority of respondents in the public consultation were:

"Monitoring and reporting should

- ✓ Allow for an assessment of whether EU legal obligations are being met;
- ✓ Allow stakeholders to understand the state of the environment and the actions taken to maintain and improve it;
- ✓ Collect information once, minimise overlap and share it, where possible, for many purposes;
- ✓ Result in information being fully available to the general public after due considerations of the appropriate level of aggregation and subject to the appropriate confidentiality constraints."

There are also several areas of concern which have been highlighted during this consultation or as part of feedback received at various consultation events<sup>10</sup> over the past months, in particular:

- ✗ The most relevant monitoring data may not always be reported. On the one hand, some of the key pieces of information that are needed may not be provided, such as the effectiveness (costs, benefits) of measures. On the other hand, some data provided are of limited use or it is received too late, or the underlying monitoring is of poor quality.
- ✗ Many pieces of environment legislation are closely interrelated. Thus, looking at different pieces of environmental legislation with a common approach provides a clear added value and prevents a "silo" approach. This issue is exacerbated by a failure to share effectively information across policy areas: for example, information received under other EU policy areas may not be made available for use in environmental policy.<sup>11</sup>
- ✗ The environmental information citizens are looking for is often not openly and transparently available. The public has a right to receive on request environmental information held by public authorities. Member States must also ensure that public authorities organise certain environmental information in a way that allow for its active and systematic online dissemination<sup>12</sup> to the public.

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<sup>9</sup> 80% or more of the respondents rated the importance of the four statements mentioned below by a score of 8 or higher (in a scale from 1 to 10).

<sup>10</sup> E.g. Stakeholder Workshops in November 2015: and April 2016: [http://ec.europa.eu/environment/legal/reporting/workshops\\_en.htm](http://ec.europa.eu/environment/legal/reporting/workshops_en.htm)

<sup>11</sup> One concrete case is the area of nutrient pollution. Several reporting processes request data and information in relation to data from several environmental directives (nitrates, urban wastewater, water, air quality, industrial emissions, etc.). Information reported under the auspices of the Common Agricultural Policy or Common Fisheries Policy could also be useful for environmental policy.

<sup>12</sup> Cf. Articles 3 and 7 of the Access to Environmental Information Directive 2003/4/EC

- ✘ Substituting reporting with the public access to environmental information at EU level is not possible because the data are not sufficiently accessible, comparable or interoperable.
- ✘ Reporting obligations are agreed at the EU level, but these then may be added to unnecessarily at the national or regional level. Around a quarter to a third of the reporting costs for businesses are the result of such 'goldplating', and too often improvements at the EU level are not passed on as savings to business and especially to SMEs<sup>13</sup>.
- ✘ Better Regulation is creating a push for more relevant information to ascertain whether EU laws deliver on the ground with less focus on output and more on real impacts. The Regulatory Fitness and Performance (REFIT) programme evaluations requires an evidence base and where possible quantification of the costs, benefits and other impacts of those policies to judge effectiveness, efficiency, coherence, relevance, and EU added value.
- ✘ Poor data quality remains an important problem in some cases. There can be great variations among Member States, which can be an obstacle to equal treatment and problem analysis.

Moreover, the consultation identified a number of suggestions to make reporting more efficient and effective. Several specific areas of work were suggested, most importantly the need to use the implementation of Directive 2007/2/EC on establishing an infrastructure for spatial information in Europe (hereinafter the 'INSPIRE Directive') for streamlining and modernising reporting (see also below).

The Fitness Check will endeavour to quantify reporting obligations. However, the exercise has so far shown that the challenges of estimating both costs and benefits are high, and that detailed evaluations by the Member States necessary to underpin this analysis, rarely exist or are accessible.

As part of the follow up, the Commission services are developing a detailed inventory, building on the ReportNet<sup>14</sup> of the European Environment Agency (EEA), to get a better understanding on the strengths and weaknesses of current practices and identify good examples to follow. This and other work in the context of the Fitness check will be presented and discussed at a number of stakeholder events during 2016<sup>15</sup>.

### **3. WHAT HAS BEEN ACHIEVED ALREADY AND WHAT IS THE POTENTIAL?**

Many initiatives have been taken or are ongoing to deliver effective monitoring, more transparency and focused reporting:

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<sup>13</sup> "EU Project on baseline measurement and reduction of administrative costs – Report on the Environment Priority Area", July 2009

<sup>14</sup> ReportNet is a database describing environmental reporting obligations that countries have towards international organisations (see <http://rod.eionet.europa.eu>)

<sup>15</sup> For updated information on the work and the events, please consult the following webpage: [http://ec.europa.eu/environment/legal/reporting/fc\\_overview\\_en.htm](http://ec.europa.eu/environment/legal/reporting/fc_overview_en.htm)

- Most recently, the proposals to revise waste legislation as part of the Circular Economy package<sup>16</sup> put forward a substantial simplification of reporting requirements. These proposals envisage the repealing of provisions obliging Member States to produce implementation reports every three years and will lead to significant reduction of administrative burden – i.e. 45 working days for Directive 2008/98/EC on waste and 30 working days for the other five Directives per country<sup>17</sup>. Compliance monitoring would be exclusively based on data which Member States report every year to the Commission, so improving the quality, reliability and comparability of the information.
- EU water legislation was consolidated with the Water Framework Directive<sup>18</sup> in 2000 and reporting was streamlined with many other pieces of legislation (bathing water, urban wastewater, nitrates, floods, etc.). More recently, a link to reporting under the Marine Directive<sup>19</sup> meant that the programmes of measures which benefit fresh and seawater alike only need to be reported once in future.
- The Industrial Emissions Directive<sup>20</sup> recast seven previously existing directives and streamlined administrative aspects including cutting reporting requirements by around half<sup>21</sup>. The Directive uses state of the art web-based reporting technology, which reduces the administrative burden while increasing the added value of reporting.
- Reporting and mutual exchange of information under the Ambient Air Quality Directives<sup>22</sup> is organised via a dedicated internet interface, i.e. the so-called air quality portal<sup>23</sup>. This utilises a state-of-the-art electronic reporting approach by which air quality information is made available in a standardised, machine-readable and INSPIRE compliant<sup>24</sup> form. The approach is explicitly geared towards streamlining the amount of information made available by Member States, to maximise the usefulness of such information and to reduce the administrative burden. The associated reporting tool is also used to check consistency of information, data quality and to aggregate primary data.

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<sup>16</sup> COM(2015)614 and COM(2015)595

<sup>17</sup> SWD(2014)207

<sup>18</sup> Directive 2000/60/EC

<sup>19</sup> Directive 2008/56/EC

<sup>20</sup> Directive 2010/75/EU

<sup>21</sup> SEC(2007)1679

<sup>22</sup> 2004/107/EC and 2008/50/EC

<sup>23</sup> Commission Implementing Decision 2011/850/EU and <http://www.eionet.europa.eu/aqportal>

<sup>24</sup> i.e. in line with the specifications set by Directive 2007/2/EC.



- Under the EU nature legislation, reporting under the Birds and Habitats Directive has been streamlined in content and timing in the last years and allows now for joint reporting and analysis of the status of habitats and species.

Whilst there are many such good examples<sup>25</sup>, it is clear that there is still work to be done. In this respect, we will build on the fact that there are many commonalities across data flows. A “corporate” approach can facilitate sharing of information across domains, reusing developments that have been created for one data flow to another, streamlining the business processes at EU and Member State level.

**The Water Information System for Europe (WISE)**, streamlining at its best.

WISE was developed as a result of the Water Framework Directive which advocates an integrated and holistic approach to water management and repealed more specific legislation, which were reported on using the water questionnaire<sup>26</sup>. It covers monitoring and reporting of all water-related legislation including the ones adopted later (e.g. the Flood Risk Management Directive<sup>27</sup>), but goes beyond that. WISE looks at ways of streamlining legislative reporting with the EEA's state-of-the-environment data flows. Since it was launched in 2007, it has:

- moved to electronic reporting only, getting rid of paper reporting;
- harmonised electronic reporting to build comparable publicly accessible EU datasets;
- streamlined with State of the Environment reporting to avoid duplication and ensure complementarity – "provide once, use often";
- stimulated the development of national information systems (Sweden, France, Spain, Austria, Ireland...).

In particular, the reporting under the second river basin management plans (March 2016) is a state-of-the-art example of what can be achieved by effective collaboration between all partners.

For more information: <http://water.europa.eu>

More use is also being made of modern technologies (especially IT) as an enabler for process efficiency. The INSPIRE Directive sets technical standards for the interoperability of spatial data and for the online availability of data discovery and access services, therefore promoting comparability and data sharing. This is now more widely endorsed in the Digital Single Market agenda<sup>28</sup>. Moreover, environment policy was the first to embrace full transparency and the 'open data' concept<sup>29</sup> by requiring such

<sup>25</sup> More streamlining examples and success stories are available at:  
[http://ec.europa.eu/environment/legal/reporting/other\\_actions\\_en.htm](http://ec.europa.eu/environment/legal/reporting/other_actions_en.htm)

<sup>26</sup> Commission Decision [95/337/EEC](#) based on the SRD 91/692/EEC

<sup>27</sup> Directive [2007/60/EC](#)

<sup>28</sup> See European Interoperability Framework in [COM\(2015\)192](#)

<sup>29</sup> E.g. as implemented through the EU's Open data Portal ([www.open-data.europa.eu](http://www.open-data.europa.eu))

approaches through the Access to Environmental Information Directive<sup>30</sup> which was introduced as a result of the Aarhus Convention. Together, these tools form the green part of the ongoing eGovernment Action Plan<sup>31</sup>.

However, this potential has not been fully exploited. There is further scope for active dissemination<sup>32</sup> (or open data), i.e. sharing of data in a structured and easily accessible way<sup>33</sup>. Ultimately, such developments could make more monitoring information available at source and thereby reduce the need for detailed reporting if we develop effective tools for data harvesting. Active dissemination also provides more timely and fit for purpose information to citizens, more transparency and accountability in relation to implementation of EU law and opportunities for businesses to use the same data to create new business products. Last, but not least, new data sources can be exploited more effectively. E.g. the Earth Observation data and products from the European Earth Observation program "Copernicus"<sup>34</sup> which are made available under a full, free and open data policy by the Union offer objective and inter-country comparable data for policy monitoring and reporting.<sup>35</sup>

In the marine sector, the European Marine Observation and Data Network<sup>36</sup> is already making data and data products available both through machine to machine communication and through a central internet gateway. It covers several properties of European seas and seabeds, as well as digital maps of human activity and seabed habitats. It is already providing the backbone for a common approach in reporting for the Marine Strategy Framework Directive, particularly when the assessment covers waters of more than one country. It has also followed a free and open data policy based on INSPIRE principles. A process is underway to achieve complete compliance for marine data by 2020<sup>37</sup>.

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<sup>30</sup> Directive 2003/4/EC

<sup>31</sup> COM(2016)179

<sup>32</sup> See Article 7 of Directive 2003/4/EC

<sup>33</sup> See Structured Implementation and Information Frameworks – pilot project on urban wastewater which demonstrates how reported data can be shared at national level more effectively and in a user-friendly way ([http://ec.europa.eu/environment/water/water-urbanwaste/index\\_en.html](http://ec.europa.eu/environment/water/water-urbanwaste/index_en.html)).

<sup>34</sup> <http://www.copernicus.eu/>

<sup>35</sup> Also the Group on Earth Observation (GEO) and the Global Earth Observation System of Systems (GEOSS) play an important role.

<sup>36</sup> <http://www.emodnet.eu>

<sup>37</sup> Marine Knowledge 2020: roadmap, SWD(2014)149

**The Information Platform for Chemical Monitoring, a good example of the power of a modern information system for effective data sharing in monitoring**

This platform, launched in October 2015, supports a coordinated approach for collecting, storing and assessing data for chemicals and chemical mixtures, in relation to humans and the environment. This results in:

- easier accessibility and time savings by being a single access point for the public, businesses, experts and policy makers establishing a direct and tailor-made link to existing and decentralised databases;
- an opportunity for integrated assessment of monitoring data combining information from different sources on a variety of environmental media, consumer products, food and from human beings themselves (e.g. through monitoring of chemical concentrations in blood) provides the basis for understanding combined exposure and the effects of chemicals mixtures.

For more information: <https://ipchem.jrc.ec.europa.eu>

Positive developments are not limited to the EU level. Several Member States have streamlined and rationalised their assessment, permitting, inspections, monitoring and (national) reporting procedures (often referred to as "one-stop-shops") either by coordinating or integrating them. Such reforms reduce the administrative costs especially for businesses, without compromising the level of environmental protection.

Other advances include providing better (newer and more relevant) environmental information to the public. Information portals increasingly inform citizens in real time about the quality of their drinking water or their beaches is, how clean the air or how healthy the nature is wherever they go in the EU. "Citizen Science" approaches, for example, help to count birds in cities or nature<sup>38</sup>, report on local water, air or noise pollution or the appearance of new invasive species and to record it on a mobile phone to provide complementary information<sup>39</sup>. Citizen Science can complement and provide alternatives to "centralised" reporting. It can reduce costs of data collection on the ground and, especially, empower citizens to collect, share and discuss their own data in relation to other information sources. The engagement of citizens goes beyond simple data collection and reporting as it enables extended ground control, timely information delivery and fosters behavioural changes.

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<sup>38</sup> <http://eurobirdportal.org/>

<sup>39</sup> [http://ec.europa.eu/environment/integration/research/newsalert/pdf/IR9\\_en.pdf](http://ec.europa.eu/environment/integration/research/newsalert/pdf/IR9_en.pdf)

### **National projects of excellence on administrative efficiency and information sharing**

The **LEMA programme (Licensing, Enforcement and Monitoring Application)** of the Irish Environment Protection Agency created an online service for the public and the private sector. The programme has reduced administrative burdens whilst capturing structured data, strengthening risk based processes and improving quality. Employing technology as an enabler it has improved environmental management, information, planning and reporting. Outcomes are evidenced across the agency, for example, the time needed for reporting under the Industrial Emission Directive was reduced from 6 months (in 2010) to half a day (2012).

For more information: LEMA: <http://www.epa.ie>

### **"*Tout sur l'environnement*" - the French national portal for environmental public information:**

This portal provides a single access point to environmental information from public authorities which is freely available. Created in 2009 by the General Commission for Sustainable Development of the French Ministry of Ecology it promotes active dissemination and sharing of open data from multiple sources (as promoted for the Digital Single Market and by the INSPIRE Directive). More than 132,600 reports, studies, web content, video, data tables, geographic information layers, etc. are referenced by over 180 public authorities at all levels of governance. The portal is open and everyone can find information corresponding to their interest, concern and/or level of knowledge. The information covers the state of the environment, the pressures it suffers, the actions taken or the health or environmental impacts observed.

For more information: <http://www.toutsurlenvironnement.fr/>

**Scotland's Environment Web** (The gateway to everything you want to know about Scotland's environment) is a new shared information hub developed with assistance from the EU's LIFE fund. It showcases an easily understandable and accessible way of informing the wider public, but also specialised interest groups, about information and data published by Scotland's leading organisations involved in the protection and improvement of the environment, thereby promoting active dissemination (as required by Directive 2003/4/EC) and the sharing of open data from multiple sources (as promoted for the Digital Single Market). It also uses extensively the technologies developed by the INSPIRE Directive by making over 300 datasets available. The aim of the hub is to provide a comprehensive story about Scotland's Environment; improve accessibility and discoverability of data; and extend the reach and influence of environmental information to wider and new audiences for policy development, reporting, decision making, education and informing behaviours.

For more information: <http://www.environment.scotland.gov.uk/>

## **4. THE COMMISSION'S AGENDA – THE FITNESS CHECK AND OTHER INITIATIVES**

The Commission Work Programme 2016<sup>40</sup> includes two reporting related Fitness Checks of monitoring and reporting obligations, one on environment policy and the other on

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<sup>40</sup> COM(2015)610, in particular Annexes 2 and 5

energy and related climate policy. Both will ascertain whether there is potential for simplification and burden reduction as well as evaluate to what extent the current obligations are coherent, effective, efficient and add EU value to the results that can be achieved by Member States individually.

The Fitness Check on environmental reporting<sup>41</sup> will identify overly complex or onerous reporting obligations stemming from EU environmental law with a view to develop a more modern, efficient and effective system for regulatory monitoring. In line with the accompanying roadmap, the intention is to focus on the process, the timing and the content<sup>42</sup>. It will assess the potential for better harmonisation of reporting obligations across policy areas, and better use of data between policy areas including, for example, whether Copernicus data can be more widely used.

The Fitness Check exercise in the energy field<sup>43</sup> will assess existing reporting, planning and monitoring obligations of the Member States and the Commission with a focus on regular plans and reports which can be used to assess progress with respect to the EU energy policy goals. The results of the Fitness Check, together with ongoing discussions with Member States, the European Parliament and other stakeholders, will be the basis for a legislative proposal on streamlining planning, reporting and monitoring requirements in the framework of the Energy Union governance to be presented in of 2016, as announced in the State of the Energy Union<sup>44</sup>.

There are also many evaluations in the REFIT programme going on in parallel which will play a role in delivering the monitoring and reporting objectives, such as the evaluation on the implementation of the INSPIRE Directive and the evaluation on the European Pollutants Release and Transfer Register (EPRTR) which are both progressing in parallel. In particular, these evaluations will be able to look more closely at the requirements for monitoring to ensure compliance for the specific legislation, whilst this Fitness Check will be more focused on the reporting requirements. The outcome of these exercises will therefore feed into the Fitness Check and its follow up.

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<sup>41</sup> See Roadmap: [http://ec.europa.eu/smart-regulation/roadmaps/index\\_en.htm](http://ec.europa.eu/smart-regulation/roadmaps/index_en.htm)

<sup>42</sup> For details see Roadmap and other information available at the dedicated EUROPA web page: [http://ec.europa.eu/environment/legal/reporting/index\\_en.htm](http://ec.europa.eu/environment/legal/reporting/index_en.htm)

<sup>43</sup> See Roadmap: [http://ec.europa.eu/smart-regulation/roadmaps/docs/2016\\_ener\\_024\\_cwp\\_refit\\_reporting\\_planning\\_obligations\\_en.pdf](http://ec.europa.eu/smart-regulation/roadmaps/docs/2016_ener_024_cwp_refit_reporting_planning_obligations_en.pdf)

<sup>44</sup> COM(2015)572

## The REFIT Evaluation on the **European Pollutants Release and Transfer Register (EPRTR)**

The evaluation looks at reporting on emissions from major industrial plants and, amongst other issues, at the coherence of such reporting with other policies and legislation, in particular on climate change, waste, industrial accidents, urban wastewater treatment etc. There is significant potential to improve the quality of available data on industrial emissions, which is key to improving the knowledge base on the environmental performance of industrial activities in the EU, and to improve coherence between the information flows dealing with emissions or other pressures (e.g. energy consumption) coming from point sources. In addition, it may help to combine such information with information on pollution stemming from diffuse sources such as agriculture or transport. This would enable a more integrated assessment of pressures on the environment, something which is not always possible at the moment. The evaluation will be completed in 2016.

For more information:

<http://ec.europa.eu/environment/industry/stationary/eper/implementation.htm>

The Commission is also putting in place an Environment Implementation Review (EIR)<sup>45</sup> which aims to help fill implementation gaps and to maximise the benefits of Union environmental policies and laws by offering tailored-made support to Member States.. As part of the EIR, country-specific reports will be presented for each Member State which will rely in part on the evidence base from environmental monitoring and reporting. There are already good examples (e.g. on air quality) where existing monitoring and reporting provides a clear and comparable picture on the implementation progress in all the Member States and causes for insufficient implementation, as well as measures taken to address non-compliance. The results of the Fitness Check are expected to improve the knowledge about implementation and "distance to target" for use in, among others, the EIR.

The Fitness Check will also examine whether current monitoring and reporting obligations follow best practices. This includes the extent to which a tiered approach is followed where information is reported in a harmonised way on implementation benchmarks (or "key performance indicators") with more flexibility for requesting more detailed information as a second step. Such a further, second level involves Member States reporting on issues, such as their policy measures, with additional information only requested if a problem is identified and if needed.

The Commission will also apply the "provide once, use often" principle. For example, if data on policies influencing the environment, such as agriculture, fisheries, transport, energy, etc., are readily available for multiple uses, then the need for environmental monitoring and reporting diminishes. Combining the data stemming from environment policy and other policies in a better way will also help better assess the effectiveness of achieving environmental objectives through EU funding.

Work is already underway to do this. For instance one objective of the Commission proposal for the establishment of a Union framework for the collection, management and

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<sup>45</sup> See Roadmap: [http://ec.europa.eu/smart-regulation/roadmaps/docs/2016\\_env\\_088\\_environmental\\_implementation\\_review\\_en.pdf](http://ec.europa.eu/smart-regulation/roadmaps/docs/2016_env_088_environmental_implementation_review_en.pdf)

use of data in the fisheries and aquaculture sector<sup>46</sup> is to maximise synergies with environmental law. New data platforms will make the data easier to find and easier to access. The data will be delivered to those who need them while guaranteeing protection for personal data and sensitive business information.

The Commission is also investing in research and development of new technologies. There are already numerous platforms that present methodologies, approaches and best practices resulting from EU research projects or initiatives<sup>47</sup>. The role of "big data" will also become increasingly important and can help reduce the need for reporting. The Commission has launched a European Cloud Initiative<sup>48</sup> which will improve access to data for the purposes of improving the monitoring of environmental policy. In this context, the role of Copernicus will also play an important role (see section 3).

## 5. KEY PARTNERS – A COMMON ENDEAVOUR

This undertaking will only be successful if all involved join forces. The Commission and its services will engage actively through workshops, consultations, evidence gathering and bilateral dialogues with:

- EU institutions and bodies to find the best ways forward throughout the process; the opinion of the Committee of the Regions<sup>49</sup> is a valuable contribution to this end.
- EU Agencies which in many cases are the centres of knowledge and excellence and which hold or process an enormous amount of information. In particular, the European Environment Agency (EEA), and its EIONET<sup>50</sup>, play an important role in supporting policy implementation. The Fitness Check will look into potential improvements where the activities of the EEA linked with monitoring and reporting are concerned, as a contribution to the upcoming evaluation of that Agency.
- Member States and their national or regional authorities: the "Make It Work" initiative<sup>51</sup> and the IMPEL<sup>52</sup> networks are example of close collaboration.
- Businesses and civil society are both providers and users of information and data. Early and active engagement can help identifying cost-effective solutions and ensure

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<sup>46</sup> COM(2015)294

<sup>47</sup> E.g. on freshwater ([www.freshwaterplatform.eu](http://www.freshwaterplatform.eu)) or ecosystem services and nature-based solutions ([www.oppla.eu](http://www.oppla.eu)).

<sup>48</sup> COM(2016)178

<sup>49</sup> "EU environment law: improving reporting and compliance"

<sup>50</sup> EIONET is network between all EEA member countries which has significantly improved the situation on environmental monitoring and reporting since its establishment in 1994.

<sup>51</sup> <http://www.ieep.eu/work-areas/environmental-governance/better-regulation/make-it-work>

<sup>52</sup> European Union Network for the Implementation and Enforcement of Environmental Law (<http://www.impel.eu>)

targeted and transparent active dissemination of data. Moreover, access to environment information can also create new business opportunities<sup>53</sup>.

- International organisations and Multilateral Environmental Agreements rely on similar information and data. Examples<sup>54</sup> exist, such as in the air and biodiversity fields, where effective collaboration and streamlining of reporting has reduced administrative burdens on all sides and improved the quality and detail of the evidence-base. This can be pursued more systematically including monitoring the Sustainable Development Goals.
- The science and research community offers solutions and is a source of evidence, often underutilised. The Commission's policy<sup>55</sup> on better access to scientific information has been addressing this angle for some time and has now been translated into Horizon 2020 and the Digital Single Market strategy. Environment information can thereby help to foster innovation.

## 6. CONCLUSIONS AND OUTLOOK

Monitoring and reporting are the means to guide and demonstrate that the implementation of EU environment legislation delivers the results that it promises, a thriving circular economy, a healthy natural capital and well-being for EU citizens.

The Commission will enter into a dialogue with all partners on the basis of this Staff Working Document and building on the feedback from our public consultation. It will do so to ensure that the Fitness Check in relation to environmental monitoring and reporting is based on the best possible evidence and so that the follow up engages everybody with clear objectives and contributions. The Fitness Check will be presented in Spring 2017 and will be accompanied by a Communication setting out the next steps.

As part of the process, effort will be made to identify and deliver changes during the Fitness Check process – the changes to waste reporting are a good example of the commitment to improve on an ongoing basis. Other actions will be delivered as part of an action plan which the Commission will present after the finalisation of the Fitness Check to accelerate the transition to a more modern, efficient and effective monitoring and reporting.

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<sup>53</sup> E.g. Marine Knowledge 2020 Roadmap Accompanying the Communication "Innovation in the Blue Economy realising the potential of our seas and oceans for jobs and growth" (SWD(2014)149)

<sup>54</sup> E.g. the Convention for Biological Diversity (CBD), the United Nations Economic Commission for Europe (UNECE), the United Nations Framework Convention on Climate Change (UNFCCC) or the Sendai Framework for Disaster Risk Reduction (UNISDR)

<sup>55</sup> COM(2012)401