

Brussels, 23 September 2020
(OR. en)

10819/20

**Interinstitutional File:
2019/0017(COD)**

**CODEC 809
CLIMA 185
ENV 514
MAR 110
MI 331
ONU 43
PE 57**

INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	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 - Outcome of the European Parliament's proceedings (Brussels, 14 to 17 September 2020)

I. INTRODUCTION

The rapporteur, Jutta Paulus (Greens/EFA, DE), presented a report consisting of 60 amendments (amendments 1-60) to the abovementioned proposal for a Regulation on behalf of the Committee on the Environment, Public Health and Food Safety.

In addition, the ID group presented 6 amendments (amendments 64-69); the ECR group presented 3 amendments (amendments 61, 63, 81), and the GUE/NGL group presented 11 amendments (amendments 70-80).

II. VOTE

When it voted on 15 September 2020, the plenary adopted 67 amendments (1-60, 72, 74, 76-80) to the proposal for a Regulation. No other amendments were adopted. The amendments adopted are set out in the annex.

At the end of the vote on 16 September 2020, the proposal was referred back to the Committee on the Environment, Public Health and Food Safety, pursuant to Rule 59(4) of the European Parliament's Rules of Procedure, thereby not bringing the Parliament's first reading to a close and opening the negotiations with the Council.

P9_TA-PROV(2020)0219

Global data collection system for ship fuel oil consumption data *I**

Amendments adopted by the European Parliament on 16 September 2020 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 – C8-0043/2019 – 2019/0017(COD))¹

(Ordinary legislative procedure: first reading)

Amendment 1

**Proposal for a regulation
Recital -1 (new)**

Text proposed by the Commission

Amendment

(-1) The unprecedented threat posed by climate change requires enhanced ambition on the part of 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^{1a} in line with the latest available science. The Intergovernmental Panel on Climate Change (IPCC) 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. The IPCC special report of 2019 entitled 'The Ocean and Cryosphere in a Changing Climate' further stated that climate mechanisms depend on the health of ocean and marine ecosystems currently

¹ The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 59(4), fourth subparagraph (A9-0144/2020).

affected by global warming, pollution, overexploitation of marine biodiversity, acidification, deoxygenation and coastal erosion. The IPCC recalls that the oceans are part of the solution as regards mitigating and adapting to the effects of climate change and underlines the necessity of reducing greenhouse gas emissions and pollution of ecosystems, as well as of enhancing natural carbon sinks.

^{1a} Paris Agreement (OJ L 282, 19.10.2016, p. 4).

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 (CO₂) emissions ***from shipping***. In 2015, it emitted 13% of the total Union greenhouse gas emissions from transport¹⁵. 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 an impact on climate ***change, on marine biodiversity, on air quality and public health***, as a result of carbon dioxide (CO₂) emissions ***and other emissions that it generates, such as methane, nitrogen oxides, sulphur oxides, particulate matter and black carbon***. In 2015, it emitted 13% of the total Union greenhouse gas emissions from transport¹⁵. ***Global maritime emissions are expected to increase by between 50% and 250% by 2050^{15a}. Unless further action is taken, EEA-related maritime emissions are expected to increase by 86% above 1990 levels by 2050, 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. ***IMO adopted on 13 April 2018 its Initial Strategy on reduction of GHG emissions from ships. Measures to implement that strategy are urgently needed both at***

global and Union-level to ensure that immediate actions are taken to reduce maritime emissions, contribute to the implementation of the Paris Agreement and achieve the Union-wide climate-neutrality objective, without undermining the climate efforts undertaken by other sectors.

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

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

^{15a} https://gmni.imo.org/wp-content/uploads/2017/05/GHG3-Executive-Summary-and-Report_web.pdf.

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 Council¹⁶ and Directive (EU) 2018/410 of the European Parliament and of the Council¹⁷**.

¹⁶ **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).**

¹⁷ **Directive (EU) 2018/410 of the European Parliament and of the Council of 14 March 2018 amending Directive**

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.**

2003/87/EC to enhance cost-effective emission reductions and low-carbon investments, and Decision (EU) 2015/1814 (OJ L 76, 19.3.2018, p. 3).

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 European Parliament's Resolution of ***14 March 2019*** on climate ***change supported by a large majority the objective of reaching climate neutrality as early as possible and by 2050 at the latest. The European Parliament has also repeatedly*** called on the Commission and the Member States to ***increase the*** binding Union 2030 target of reducing greenhouse gas emissions ***to 55%*** compared to 1990 levels. The European Parliament also noted that all sectors of the economy, ***including international aviation and maritime transport, must*** contribute to the reduction of greenhouse ***gas*** emissions if the Union is to ***reach its climate targets and*** deliver its fair share of global efforts. ***Rapid efforts to decarbonise the maritime transport sector are all the more important in view of the declaration by the Parliament on 28 November 2019 of a climate and environment emergency.***

Amendment 5

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) The European Parliament in its resolution of 28 November 2019 on the 2019 UN Climate Change Conference in Madrid, Spain (COP25) stressed the need for additional Union actions to address GHG emissions from the maritime sector in light of the slow and insufficient progress made by 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. Market-based emissions reduction policies alone are not sufficient to meet the Union's emissions reduction targets, and should be accompanied by binding regulatory emissions reduction requirements that are properly enforced.

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

(4) In its Conclusions of 12 December 2019^{1a}, the European Council endorsed the objective of achieving a climate-neutral EU by 2050. The European Council also stated that all relevant EU legislation and policies need to be consistent with, and contribute to, the fulfilment of the climate neutrality objective while respecting a level playing field.

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.

1a

<https://www.consilium.europa.eu/media/41768/12-euco-final-conclusions-en.pdf>

Amendment 7

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Currently, maritime transport is the only sector not expressly the subject of a Union emissions reduction objective or specific mitigation measures. In its communication of 11 December 2019 on the European Green Deal, the Commission stated its intention to take additional measures to address GHG emissions from the maritime sector, and in particular to extend the EU ETS to the maritime sector, regulate the access of the most polluting ships to Union ports and oblige docked ships to use shore-side electricity. In its proposal of 4 March 2020 for a regulation establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)^{1a}, the Commission confirms that additional action needs to be taken so as to reach the objective of climate neutrality by 2050 and that every sector will have to contribute as current policies are expected to only reduce greenhouse gas emissions by 60%

by 2050.

1a

https://ec.europa.eu/info/files/commission-proposal-regulation-european-climate-law_en

Amendment 8

Proposal for a regulation

Recital 4 b (new)

Text proposed by the Commission

Amendment

(4b) The removal of market barriers in the maritime sector, including the use of a transparent and robust monitoring, reporting and verification (MRV) system, is aimed at contributing to the uptake of energy efficiency technologies, thereby contributing to reducing maritime emissions by about 2% by 2030. For the maritime sector to contribute fully to the economy-wide effort to reach the Union's climate-neutrality objective as well as the 2030 targets and other potential intermediary targets, further action is therefore necessary. As the Union's primary instrument for monitoring, reporting and verifying GHG emissions and air pollution from maritime transport, the EU MRV Regulation constitutes a basis for further action. The scope of that Regulation should, therefore, be extended to include binding requirements for companies to reduce their GHG emissions per transport work, and it is also necessary to extend the EU ETS to cover the maritime transport sector.

Amendment 9

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 transport²⁰ (the “EU MRV Regulation”), which was complemented in 2016 with two Delegated Regulations²¹ and two Implementing Regulations²². 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, CO₂ 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 CO₂ 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 transport²⁰ (the “EU MRV Regulation”), which was complemented in 2016 with two Delegated Regulations²¹ and two Implementing Regulations²². 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 emissions in the Union's GHG emissions reduction commitments and for the subsequent pricing 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, CO₂ emissions and energy efficiency of their ships on voyages to and from European Economic Area (EEA) ports on an annual basis, starting from 2018. ***This obligation*** also applies to CO₂ emissions within EEA ports. The first emissions reports ***were*** due by 30 April 2019 ***and were published by the***

²⁰ 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).

²¹ 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).

²² 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).

²⁰ 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).

²¹ 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).

²² 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).

Amendment 10

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Reducing emissions from shipping and their impact on global warming and air pollution should not be implemented in a way that harms marine biodiversity, and should be accompanied by measures targeted towards the restoration of marine and coastal ecosystems impacted by the shipping industry, such as the substances discharged into the seas, including ballast water, hydrocarbons, heavy metals and chemicals, lost containers at sea and cetacean collisions.

Amendment 11

Proposal for a regulation Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) In the maritime sector, the shipowner is not always the same as the person or entity commercially operating the ship. Therefore, all the data required under the EU MRV Regulation should be collected by and attributed to the party responsible for the commercial operation of the ship, such as the manager, the time charterer or the bareboat charterer.

Amendment 12

Proposal for a regulation Recital 6 c (new)

Text proposed by the Commission

Amendment

(6c) The data collected under the EU MRV Regulation should be used to foster the transition towards zero-emissions ships through the establishment of an energy efficiency certificate for ships, with a rating scale, to enable a transparent comparison of ships, especially for sale or rent, and to encourage Member States to promote best practices and support the most efficient ships.

Amendment 13

Proposal for a regulation Recital 6 d (new)

Text proposed by the Commission

Amendment

(6d) A European shipping label for products should be developed by the Commission in cooperation with shipowners, other stakeholders and independent experts, in order to inform consumers about the environmental impact of maritime transport related to products that they purchase. Such a label would support the environmental and energy transition of the shipping sector by providing a reliable and transparent way of informing customers about voluntary initiatives. It would encourage consumers to purchase products transported by shipowners that have reduced their environmental impact, for example regarding greenhouse gases and pollutant emissions, noise pollution, waste and water management.

Amendment 14

Proposal for a regulation Recital 6 e (new)

Text proposed by the Commission

Amendment

(6e) Council Directive 92/106/EEC^{1a} contributes to the reduction of transport emissions by promoting a shift from road freight transport to lower-emission transport modes, including zero-emission river corridors. A revision of that Directive is necessary, in order to step up the efforts to promote multimodal transport and increase efficiency and low emission alternatives. Zero-emission waterway transport is key to developing a sustainable modal shift from road to waterways, and it is therefore necessary to support investment in refuelling and recharging infrastructure in inland ports.

^{1a} Council Directive 92/106/EEC of 7 December 1992 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ L 368, 17.12.1992, p. 38).

Amendment 15

Proposal for a regulation Recital 6 f (new)

Text proposed by the Commission

Amendment

(6f) Union ports constitute strategic hubs in the energy transition due to their geographical position and economic activities. They represent the main entry points of energy commodities, (from importation, storage or distribution), increasingly engage in the development of renewable energy production sites and

develop new energy management and circular economy strategies. In line with the objectives of the European Green Deal, the Union should therefore accompany the decarbonisation of the maritime sector with a strategic approach of Union ports to support their role as facilitator of the energy transition. Member States should be encouraged to stimulate the development of zero-emission ports and invest in refuelling and recharging infrastructures. It would ensure immediate health benefits to all citizens living in port and coastal areas, as well as limit negative impacts on marine and coastal biodiversity in such areas, which also represent vast land territories, some of which are part of the Natura 2000 network.

Amendment 16

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. ***It is important that, irrespective of any global measures, the Union remains able to be ambitious and demonstrates climate leadership by maintaining or adopting more stringent measures within the Union.***

Amendment 17

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 Conference of the Parties of the United Nations Framework Convention on Climate Change (UNFCCC)²³, 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 adopted²⁴ in October 2016 a data collection system for fuel oil consumption of ships ("the global IMO DCS").

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)²³, 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 adopted²⁴ in October 2016 a data collection system for fuel oil consumption of ships ("the global IMO DCS"). ***IMO also adopted on 13 April 2018 an initial strategy on the reduction of GHG emissions from ships ('IMO Initial Strategy'), 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 IMO, including all Union Member States, committed to reducing CO₂ emissions per transport work, as an average across international maritime shipping, by at least 40% by 2030, pursuing efforts towards a 70% reduction by 2050. It is therefore appropriate to include the core elements of the IMO Initial Strategy in Union law, while continuing to engage constructively with IMO Member States to reach a global agreement on the GHG emissions reduction measures. Companies should be obliged to linearly reduce the annual CO₂ emissions per transport work by at least 40% by 2030 as an average across all ships under their responsibility, compared to the average performance per category of ships of the same size and type***

as reported under the MRV Regulation. The baseline for the GHG emission reduction measures should be established by using the data from the THETIS-MRV and the IMO DCS, while fully recognising the emission reductions already undertaken by the ‘decarbonising first movers’ companies. The Commission should adopt delegated acts to define the detailed rules for determining the baseline, the annual reduction factor for each ship category, the rules and means for calculating and collecting the excess emissions penalties, and any other rule necessary for the compliance and verification of compliance with this obligation.

²³ Paris Agreement (OJ L 282, 19.10.2016, p. 4–18).

²⁴ IMO Resolution MEPC.278(70) amending MARPOL Annex VI.

²³ Paris Agreement (OJ L 282, 19.10.2016, p. 4–18).

²⁴ IMO Resolution MEPC.278(70) amending MARPOL Annex VI.

Amendment 18

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) Considering the co-existence of these two monitoring, reporting and verification systems, the Commission assessed pursuant to Article 22 of the EU MRV Regulation how to align the two systems so as to reduce administrative burden for ships, while preserving the objectives of the EU MRV Regulation.

Amendment

(9) Considering the co-existence of these two monitoring, reporting and verification systems, the Commission assessed pursuant to Article 22 of the EU MRV Regulation how to align the two systems so as to reduce administrative burden for ships, ***especially those owned by SMEs***, while preserving the objectives of the EU MRV Regulation.

Amendment 19

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 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 CO₂ 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.

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, verification, transparency or CO₂ 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 by the EU MRV Regulation***, definitions, monitoring parameters, monitoring plans and templates.

Amendment 20

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

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 **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 DCS²⁵ to reduce administrative burden.

²⁵ IMO Resolution MEPC 282 (70).

"deadweight tonnage" should be reported **in addition to** "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 DCS²⁵ to reduce administrative burden.

²⁵ IMO Resolution MEPC 282 (70).

Amendment 21

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) Content of monitoring plans should be streamlined so as to take into consideration the global IMO DCS except for the parts of the plan which are necessary to ensure that only Union-related data are monitored and reported under the EU MRV Regulation. Therefore, any "per voyage" provisions should remain as part of the monitoring plan.

Amendment

(13) Content of monitoring plans should be streamlined so as to take into consideration the global IMO DCS except for the parts of the plan which are necessary to ensure that only Union-related data are monitored and reported under the EU MRV Regulation. Therefore, any "per voyage" provisions should remain as part of the monitoring plan. ***The Commission should also assist the Member States by sharing expertise and good practices, as well as the implementation of new technologies, with the objective of decreasing administrative barriers and of retrieving data efficiently and securely.***

Amendment 22

Proposal for a regulation

Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) The impact assessment conducted by the Commission in 2013 and accompanying the proposal for the EU MRV Regulation showed the effectiveness of the EU ETS for maritime emissions and identified an EU ETS system or a target-based compensation fund as the options that could ensure the necessary emissions reductions are achieved in the sector. In order to include maritime shipping in the Union's emissions reduction effort, Directive 2003/87/EC of the European Parliament and of the Council^{1a} should be amended to cover maritime emissions. The Commission should adopt delegated acts for 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 full auctioning. When preparing those delegated acts, the Commission should update the 2013 impact assessment, in particular to take account of the Union's economy-wide GHG emissions reduction target for 2030 and the climate-neutrality objective as defined in Regulation (EU) .../... [European Climate Law] and the economic impact including in terms of possible risks of unintended modal shifts and carbon leakage. The Commission should publish the results of that assessment. It is important that the Union and its Member States support measures at international level to reduce the climate impact of maritime transport. The Commission should keep under review any progress made towards the adoption of a market-based measure by IMO, and

should in the event of adoption of a global market-based measure, consider how to ensure that there is consistency between Union and global measures in a manner that preserves the environmental integrity and effectiveness of Union climate action.

Amendment 23

Proposal for a regulation

Recital 13 b (new)

Text proposed by the Commission

Amendment

(13b) The successful transition to zero-emission shipping requires an integrated approach and the appropriate 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, such as hydrogen and ammonia, that are produced from renewable energy sources and of zero-emission propulsion technologies, including the necessary refuelling and recharging infrastructure in ports. An Ocean 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 aimed at helping to decarbonise maritime transport, including in short sea shipping and ports. 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 or alternative zero-emission options. The Commission should also assess the possibility of

requiring ports to adopt demurrage tariffs based on emissions.

Amendment 24

Proposal for a regulation Recital 13 c (new)

Text proposed by the Commission

Amendment

(13c) The successful transition towards zero-emission and green ships requires an integrated approach to promote innovative measures for greener ships, for example regarding hull design, new engines and sustainable alternative fuels, and wind propulsion, and operational measures, which can be implemented in the short term to reduce fuel consumption and thus emissions, such as speed reduction or better route planning. Speed reduction, also referred to as slow steaming, was tested on a large scale between 2006 and 2012 due to the sharp increase in fuel prices: a 10% reduction in speed led to a reduction in consumption of around 19%^{1a} and a corresponding reduction in emissions. Market based measures such as the EU ETS will encourage the reduction of emissions and investment in research and innovation, to improve the energy efficiency of ships, and the deployment of sustainable alternative fuels and propulsion technologies, including the necessary refuelling and recharging infrastructures in ports and inland ports.

^{1a} ‘The impact of international shipping on European air quality and climate forcing’, European Environment Agency, Technical report No 4/2013.

Amendment 25

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) In order to maintain a high quality of data reported in the THETIS-MRV register, the European Maritime Safety Agency (EMSA) should be given the necessary powers and resources to be able to check emissions reports that have been verified as satisfactory by a verifier.

Amendment 26

Proposal for a regulation

Recital 14 b (new)

Text proposed by the Commission

Amendment

(14b) The Commission should review the functioning of Regulation (EU) 2015/757, taking into account the experience gained in the implementation of that Regulation and of the global IMO DCS, as well as other relevant developments aimed at reducing GHG emissions from maritime transport.

Amendment 27

Proposal for a regulation

Recital 14 c (new)

Text proposed by the Commission

Amendment

(14c) Maritime transport is also a source of air pollutants, such as sulphur oxide (SO_x), nitrogen oxide (NO_x), particulate matter (PM), ozone depleting substances (ODS) and volatile organic compounds (VOC)^{1a}. Air pollutants adversely impact both the environment and the health of citizens, in particular those living or working in coastal or port areas. The Commission should review the relevant legislation by June 2021 and make concrete proposals to address the problem of air pollution emissions from maritime transport. The Commission should also work on the extension of Sulphur Emission Control Areas (SECA) and NO_x Emission Control Areas (NECA) in all European seas, including in the Mediterranean sea, and further address the problem of the discharge of washwater from scrubbers and the discharge of other substances, such as ballast water, hydrocarbons, heavy metals and chemicals, into open waters, and the problem of the impact of such substances on marine biodiversity.

Amendment 28

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) The objective of Regulation (EU) 2015/757 is to monitor, report and verify CO₂ 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

Amendment

(15) The objective of Regulation (EU) 2015/757 is to monitor, report and verify ***GHG*** emissions from ships calling at EEA ports, ***to reduce their average carbon intensity per transport work, including by significantly reducing their emissions when at berth, 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

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.

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 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.

Amendment 29

Proposal for a regulation Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) The transition to climate neutral shipping has yet to be achieved and regulatory measures in that regard have been hitherto inadequate. Ports can have a significant role in the decarbonisation of maritime transport. Operators of ships calling at Union ports should be obliged to ensure, through means such as connecting to shore-side electricity, that when at berth their ships do not emit greenhouse gas or air-polluting emissions. This would be particularly important in the case of berths located close to urban areas, in order to reduce the effects of air pollution on human health. Given the differential impacts of ships in relation to greenhouse gas and air-polluting emissions, most polluting ships, including large passenger ships, should be required to comply with that requirement first.

Amendment 30

Proposal for a regulation Recital 15 b (new)

Text proposed by the Commission

Amendment

(15b) Ship operators should ensure they operate the vessels in the most energy-efficient manner possible, keeping emissions to the lowest possible levels. Shipbuilders should ensure they make emissions reduction a priority when building new ships.

Amendment 31

Proposal for a regulation Article 1 – title (new)

Text proposed by the Commission

Amendment

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

Amendment 32

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

Text proposed by the Commission

Amendment

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

Amendment 33

Proposal for a regulation

Article 1 – paragraph -1 a (new)

Regulation (EU) 2015/757

Recital 23

Present text

(23) Other greenhouse gases, climate forcers *or* air pollutants *should not be covered by the Union MRV system at this stage to avoid requirements to install not sufficiently reliable or commercially available measuring equipment, which could impede the implementation of the Union MRV system.*

Amendment

(-1a) Recital 23 is replaced by the following:

*"(23) The Union MRV system should be extended to cover also other greenhouse gases, climate forcers **and** air pollutants, where sufficiently reliable or commercially available measuring equipment **exists, to better protect the climate, the environment and human health.**"*

Amendment 34

Proposal for a regulation

Article 1 – paragraph -1 b (new)

Regulation (EU) 2015/757

Article 1

Present text

Article 1

Subject matter

This Regulation lays down rules for the accurate monitoring, reporting and verification of *carbon dioxide (CO₂)*

Amendment

(-1b) 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 *promote the reduction of CO₂ emissions from maritime transport in a cost effective manner.*

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 economy-wide climate-neutrality objective as defined in Regulation (EU) .../... [European Climate Law], while taking account of the IMO Initial Strategy on reduction of GHG emissions from ships adopted on 13 April 2018, this Regulation imposes obligations on companies to reduce their annual average CO₂ emissions per transport work in accordance with Article 12a."*

Amendment 35

Proposal for a regulation

Article 1 – paragraph -1 c (new)

Regulation (EU) 2015/757

Article 2 – paragraph 1

Present text

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.

Amendment

(-1c) In Article 2, paragraph 1 is replaced by the following:

"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."

Amendment 36

Proposal for a regulation

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

Regulation (EU) 2015/757

Article 3 – paragraph 1 – 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 to Directive 2003/87/EC of the European Parliament and of the Council;*

**** 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)."***

Amendment 37

Proposal for a regulation

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

Regulation (EU) 2015/757

Article 3 – paragraph 1 – point b

Present text

Amendment

(b) 'port of call' means the port where a

(-aa) Point (b) is replaced by the following:

"(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;

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;"

Amendment 38

Proposal for a regulation

Article 1 – paragraph 1 – point a

Regulation (EU) 2015/757

Article 3 – paragraph 1 – point d

Text proposed by the Commission

(d) 'company' means the shipowner or any other organisation or person such as the manager or the bareboat charterer, which has assumed the responsibility for the operation of the ship from the shipowner and ***has agreed to take over all the duties and responsibilities imposed by Regulation (EC) No 336/2006 of the European Parliament and of the Council;***

Amendment

“(d) 'company' means the shipowner or any other organisation or person such as the manager; ***the time charterer*** or the bareboat charterer, which has assumed the responsibility for the ***commercial*** operation of the ship from the shipowner and ***is responsible for paying for fuel consumed by the ship;***”

Amendment 39

Proposal for a regulation

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

Article 3 – paragraph 1 – point i

Present text

(i) ‘other relevant information’ means information related to CO₂ emissions from the consumption of fuels, to transport work and to the energy efficiency of ships, which enables the analysis of emission trends and the assessment of ships' performances;

Amendment

(aa) Point (i) is replaced by the following:

“(i) ‘other relevant information’ means information related to CO₂ emissions from the consumption of fuels, to transport work, ***to shore-to-ship power supply during docking*** and to the energy efficiency of ships, which enables the analysis of emission trends and the assessment of ships' performances;”

Amendment 40

Proposal for a regulation

Article 1 – paragraph 1 a (new)

Regulation (EU) 2015/757

Article 4 – paragraph 1

Present text

1. In accordance with Articles 8 to 12, companies shall, for each of ***their*** ships, monitor and report on the relevant parameters during a reporting period. They shall carry out that monitoring and reporting within all ports under the jurisdiction of a Member State and for any voyages to or from a port under the jurisdiction of a Member State.

Amendment

(1a) In Article 4, paragraph 1 is replaced by the following:

"1. In accordance with Articles 8 to 12, companies shall, for each of ***the*** ships ***under their commercial operational control***, monitor and report on the relevant parameters during a reporting period. They shall carry out that monitoring and reporting within all ports under the jurisdiction of a Member State and for any voyages to or from a port under the jurisdiction of a Member State."

Amendment 41

Proposal for a regulation

Article 1 – paragraph 1 b (new)

Regulation (EU) 2015/757

Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(1b) 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 specifying the methods for determining methane (CH₄) emissions.

In addition to the adoption of the delegated acts referred to in the first subparagraph, the Commission shall, by 31 December 2021, assess and report to the European Parliament and the Council on the impact on the global climate of GHG emissions, other than CO₂ and CH₄, from ships arriving at, within or departing from ports under the jurisdiction of a Member State. That report shall be accompanied, where appropriate, by a legislative proposal to address the question of how to deal with those emissions.”

Amendment 72

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point a – point i a (new)

Regulation (EU) 2015/757

Article 6 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ia) the following point is inserted:

‘(ca) emission factors for alternative fuels, including for liquefied natural gas, biofuels, carbon-containing renewable fuels of non-biological origin, shall be expressed in CO₂ equivalent terms and include all GHG, and be based on life-cycle analysis. These emission factors shall be determined by the Commission by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 24(2);’

Amendment 42

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

Amendment 43

Proposal for a regulation

Article 1 – paragraph 3 a (new)

Regulation (EU) 2015/757

Article 9 – paragraph 2 – point a

Present text

Amendment

(a) ***all*** of the ship's voyage during the reporting period either start from or end at a port under the jurisdiction of a Member state; and

(3a) In Article 9(2), point (a) is replaced by the following:

"(a) ***no less than 90 %*** of the ship's voyage during the reporting period either start from or end at a port under the jurisdiction of a Member state; and"

Amendment 44

Proposal for a regulation

Article 1 – paragraph 4 – point a a (new)

Regulation (EU) 2015/757

Article 10 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

(aa) The following point is added :

‘(ja) cargo carried.’

Amendment 45

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 the completion of the change or*** as close as practical to the day of the completion of the change 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. ***The new company shall ensure that each ship under its responsibility complies with the requirements of this Regulation for the remainder of the reporting period following the change.***”

Amendment 46

Proposal for a regulation

Article 1 – paragraph 5 – point b a (new)

Regulation (EU) 2015/757

Article 11 – paragraph 3 – point xi a (new)

Text proposed by the Commission

Amendment

(ba) In point (a) of paragraph 3, the following point is added:

‘(xia) cargo carried;’

Amendment 47

Proposal for a regulation

Article 1 – paragraph 5 – point b b (new)

Regulation (EU) 2015/757

Article 11 – paragraph 3 – point xi b (new)

Text proposed by the Commission

Amendment

(bb) In point (a) of paragraph 3, the following point is added:

‘(xib) size of the ship;’

Amendment 48

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

(5a) The following chapter is inserted:

"CHAPTER II a

EMISSIONS REDUCTION

Article 12a

Reduction of emissions

1. Companies shall linearly reduce the annual CO₂ emissions per transport work by at least 40% by 2030 as an average across all ships under their responsibility, compared to the average performance per category of ships of the same size and type as reported under this Regulation.

2. Where, in a given year, a company fails to comply with the annual reduction referred to in paragraph 1, the Commission shall impose a financial penalty, which shall be effective, proportionate, dissuasive and compatible with a market-based trading emission system, such as the EU ETS. Payment of the excess emissions penalty shall not release the company from its obligation under paragraph 1 for the period until 2030. In the case of companies that have failed to comply with the emission limits laid down under this Article, the provisions of Article 20(3) and 20(4) shall apply.

3. The Commission shall adopt delegated acts by... [6 months after the entry into force of this Regulation] in accordance with Article 23 to supplement this Regulation by defining the ship categories referred to in paragraph 1, by determining the baseline and the annual linear reduction factor to be applied for each ship category by using the data from the THETIS-MRV, including the mandatory parameter ‘cargo carried’, and the IMO DCS, while fully recognising the emission reductions already undertaken by the ‘decarbonising first movers’ companies, so as to achieve the target referred to in paragraph 1, by specifying the rules and means for calculating and collecting the excess emissions penalty referred to in paragraph 2, and by specifying any other rule necessary for the compliance and verification of compliance with this Article.

4. Within 12 months of the adoption by IMO of measures to implement the Initial Strategy on reduction of GHG emissions from ships adopted on 13 April 2018 and

before those measures take effect, the Commission shall submit a report to the European Parliament and to the Council in which it shall examine the ambition and overall environmental integrity of the measures decided upon by IMO, including their general ambition in relation to targets under the Paris Agreement, to the Union economy-wide GHG emissions reduction target for 2030 and to the climate-neutrality objective as defined in Regulation (EU) .../... [European Climate Law].

5. Where appropriate, the Commission may accompany the report referred to in paragraph 4 with a legislative proposal to the European Parliament and to the Council to amend this Regulation in a manner that is consistent with the aim of preserving the environmental integrity and effectiveness of Union climate action, in particular the Union economy-wide GHG emissions reduction target for 2030 and the climate-neutrality objective as defined in Regulation (EU) .../... [European Climate Law]."

Amendment 49

Proposal for a regulation

Article 1 – paragraph 5 b (new)

Regulation (EU) 2015/757

Article 12 b (new)

Text proposed by the Commission

Amendment

(5b) The following article is inserted:

“Article 12b

Emissions from ships at berth

Companies shall ensure that, by 2030, no ships under their responsibility emit GHG emissions when at berth."

Amendment 50

Proposal for a regulation

Article 1 – paragraph 5 c (new)

Regulation (EU) 2015/757

Article 21 – paragraph 1

Present text

1. By 30 June each year, the Commission shall make publicly available the information *on CO2 emissions* reported in accordance with Article 11 as well as the information set out in paragraph 2 of this Article.

Amendment

(5c) In Article 21, paragraph 1 is replaced by the following:

"1. By 30 June each year, the Commission shall make publicly available the information reported in accordance with Article 11 as well as the information set out in paragraph 2 of this Article."

Amendment 51

Proposal for a regulation

Article 1 – paragraph 5 d (new)

Regulation (EU) 2015/757

Article 21 – paragraph 2 – point a

Present text

(a) the identity of the ship (name, IMO

Amendment

(5d) In Article 21, point (a) of paragraph 2 is replaced by the following:

"(a) the identity of the ship (name,

identification number and port of registry or home port);

company, IMO identification number and port of registry or home port);"

Amendment 74

Proposal for a regulation

Article 1 – paragraph 6 a (new)

Regulation (EU) 2015/757

Article 21 – paragraph 2 – point d

Present text

(d) the annual total fuel consumption for voyages;

Amendment

(6a) In Article 21(2), point d is amended as follows:

(d) the annual total fuel consumption, *per fuel type*, for voyages;

Amendment 52

Proposal for a regulation

Article 1 – paragraph 6 b (new)

Regulation (EU) 2015/757

Article 21 – paragraph 2 – point k a (new)

Text proposed by the Commission

Amendment

(6b) In Article 21, paragraph 2, the following point is added:

‘(ka) the size of the ship.’

Amendment 76

Proposal for a regulation

Article 1 – paragraph 6 c (new)

Regulation (EU) 2015/757

Article 21 – paragraph 2 – point k b (new)

Text proposed by the Commission

Amendment

(6c) In Article 21(2), the following point is added:

‘(kb) total distance;’

Amendment 77

Proposal for a regulation

Article 1 – paragraph 6 d (new)

Regulation (EU) 2015/757

Article 21 – paragraph 2 – point k c (new)

Text proposed by the Commission

Amendment

(6d) In Article 21(2), the following point is added:

‘(kc) deadweight tonnage;’

Amendment 78

Proposal for a regulation

Article 1 – paragraph 6 e (new)

Regulation (EU) 2015/757

Article 21 – paragraph 2 – point k d (new)

Text proposed by the Commission

Amendment

(6e) In Article 21(2), the following point is added:

‘(kd) transport work;’

Amendment 79

Proposal for a regulation

Article 1 – paragraph 6 f (new)

Regulation (EU) 2015/757

Article 21 – paragraph 2 – point k e (new)

Text proposed by the Commission

Amendment

(6f) In Article 21(2), the following point is added:

‘(ke) name of the shipowner;’

Amendment 80

Proposal for a regulation

Article 1 – paragraph 6 g (new)

Regulation (EU) 2015/757

Article 21 – paragraph 2 – point k f (new)

Text proposed by the Commission

Amendment

(6g) In Article 21(2), the following point is added:

‘(kf) cargo carried.’

Amendment 53

Proposal for a regulation

Article 1 – paragraph 6 h (new)

Regulation (EU) 2015/757

Article 21 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

(6h) In Article 21, the following paragraph is added:

"6a. In line with its 2020-2022 work programme, EMSA shall perform further statistical verification of the data submitted under Article 11(1) to ensure that the data provided are consistent."

Amendment 54

Proposal for a regulation

Article 1 – paragraph 6 i (new)

Regulation (EU) 2015/757

Article 21 a (new)

Text proposed by the Commission

Amendment

(6i) The following article is inserted:

"Article 21a

Environmental performance labelling of ships

1. So as to incentivise emissions reductions and increase the transparency of information, the Commission shall set up a holistic Union labelling system for the environmental performance of ships which shall apply to the ships covered by

this Regulation.

2. By 1 July 2021, the Commission shall adopt delegated acts in accordance with Article 23 to supplement this Regulation by setting out the detailed provisions of the functioning of the Union labelling system for the environmental performance of ships as well as the technical standards which constitute its basis."

Amendment 55

Proposal for a regulation

Article 1 – paragraph 6 j (new)

Regulation (EU) 2015/757

Article 22 – paragraph 3

Text proposed by the Commission

Amendment

(6j) In Article 22, paragraph 3 is deleted;

Amendment 56

Proposal for a regulation

Article 1 – paragraph 6 k(new)

Regulation (EU) 2015/757

Article 22 a (new)

Text proposed by the Commission

Amendment

(6k) 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 the 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 GHG emissions other than CO₂, as well as to reduce air pollutants and the discharge of wastewater, including from scrubbers, into open waters from ships. The review shall also consider the extension of the scope of this Regulation to include ships between 400 and 5000 gross tonnage. The review shall, where appropriate, be accompanied by a legislative 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 make a proposal to lay down binding targets for Member States to ensure that there is an adequate supply of shore-side electricity in maritime and inland ports.

**** 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***

Amendment 57

Proposal for a regulation

Article 1 – paragraph 6 l (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

(6l) In Article 23, paragraph 2 is replaced by the following:

"2. The power to adopt delegated acts referred to in Articles 5(2), **5(2a), 12a(3)**, 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 58

Proposal for a regulation

Article 1 – paragraph 6 m (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 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.

Amendment

(6m) In Article 23, paragraph 3 is replaced by the following:

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

Amendment 59

Proposal for a regulation

Article 1 – paragraph 6 n

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

(6n) In Article 23, paragraph 5 is replaced by the following:

"5. A delegated act adopted pursuant to Articles 5(2), **5(2a), 12a(3)**, 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 60

Proposal for a regulation

Article 1 a (new)

Directive 2003/87/EC

Chapter II a (new)

Text proposed by the Commission

Amendment

Article 1a

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 2022 to the issue and allocation of allowances in respect of greenhouse gas emissions from ships arriving at, within, or departing from ports under the jurisdiction of a Member State covered by Regulation (EU) 2015/757 of the European Parliament and of the Council*. Where there is a change of company pursuant to Article 11(2) of Regulation (EU) 2015/757, the new company shall only be required to acquire allowances in respect of greenhouse gas emissions related to the period during

which the activities of the ship were carried out under its responsibility.

Article 3gb

Total quantity and method of allocation of allowances for maritime transport

1. By 31 December 2020, the Commission shall update the impact assessment carried out in 2013 and accompanying the Commission proposal for Regulation (EU) No 525/2013 of the European Parliament and of the Council** and 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 full auctioning, as well as laying down the special provisions with regard to the administering Member State. The delegated acts shall be based on the best available data and on an assessment of the impact of different options, including the impact on emissions as well as the economic impact.

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 50% 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.

4. Revenues generated from the auctioning of allowances that are not used through the Fund defined in Article 3gc and which are allocated to Member States shall be used in a way that is consistent with the aims of this Directive, in particular to tackle climate change in the Union and third countries, to protect and restore marine ecosystems impacted by global warming, and to support a just transition in Member States, supporting redeployment, re-skilling and up-skilling of workers, education, job-seeking

initiatives and start-ups, in dialogue with social partners. All information on the use of those revenues shall be made public.

5. The Commission shall monitor the implementation of this Chapter and possible trends as regards companies seeking to avoid being bound by the requirements of this Directive. If appropriate, the Commission shall propose measures to prevent such avoidance.

Article 3gc

Ocean Fund

1. An Ocean Fund ('the Fund') shall be established for the period from 2022 to 2030 to improve the energy efficiency of ships and support investment in innovative technologies and infrastructure to decarbonise the maritime transport sector, including in short sea shipping and ports, and the deployment of sustainable alternative fuels, such as hydrogen and ammonia, that are produced from renewables, and of zero-emission propulsion technologies, including wind technologies. 20% of the revenues under the Fund shall be used to contribute to the protection, restoration and better management of marine ecosystems impacted by global warming, such as marine protected areas; and to promote a crosscutting sustainable blue economy such as renewable marine energy. All investment supported by the Fund shall be made public and shall be consistent with the aims of this Directive.

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 to limit the administrative burden for maritime companies, including small and medium sized companies and companies that are not frequently active within the scope of

this Directive. The Fund shall surrender allowances collectively on behalf of maritime transport companies that are members of the Fund. The membership contribution per tonne of emissions shall be set by the Fund by 28 February each year, but shall be at least equal to the highest recorded primary or secondary market settlement 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 shall surrender them to the registry established under Article 19 of this Directive by 30 April each year for subsequent cancellation. All information on the contributions shall be made available to the public.

4. The Fund shall be managed centrally through a Union body whose governance structure shall be similar to the governance of the fund provided for in Article 10a(8) of this Directive. Its governance structure and decision making process shall be transparent and inclusive, in particular in the setting of priority areas, criteria and grant allocation procedures. Relevant stakeholders shall have an appropriate consultative role. All information on the investments and all other relevant information on the functioning of the Fund shall be made available to the public

5. The Commission shall engage with third countries with regard to how they can also make use of the Fund.

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

Article 3gd

Reporting and review by the Commission concerning the implementation of climate

mitigation measures at the International Maritime Organisation

1. Within 12 months of the adoption by IMO of global market-based measures to reduce GHG emissions from maritime transport, and before those measures become operational, the Commission shall present a report to the European Parliament and to the Council in which it shall examine the ambition and overall environmental integrity of those measures, including their general ambition in relation to targets under the Paris Agreement, and to the Union economy-wide GHG emissions reduction target for 2030 and the climate-neutrality objective as defined in Regulation (EU) .../... [European Climate Law]. That report shall particularly take into account the level of participation in those global measures, their enforceability, transparency, the penalties for non-compliance, the processes for public input, the use of offset credits, monitoring, reporting and verification of emissions, registries, accountability as well as rules on the use of biofuels.

2. Where appropriate, the Commission shall accompany the report referred to in paragraph 1 with a legislative proposal to the European Parliament and to the Council to amend this Directive in a manner that is consistent with the aim of preserving the environmental integrity and effectiveness of Union climate action, in particular the Union economy-wide GHG emissions reduction target for 2030 and the climate-neutrality objective as defined in Regulation (EU) .../... [European Climate Law].

*** 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).

*** Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC (OJ L 165, 18.6.2013, p. 13). ”*
