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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a monitoring framework for resilient European forests *- Further revised Presidency compromise proposal*

With a view to the Ad Hoc Working Party on 24 April 2025, delegations will find in annex a further revised Presidency compromise text for the articles of the above Commission proposal

Since the previous version (doc 6329/1/25 REV 1) has not been discussed in the AHWP FM yet, the changes of REV 1 (**bold** for additions and ~~strickethrough~~ for deletions) have been kept unchanged. The additional changes introduced in the present REV 2 version (following the consultation launched after the AHWP FM on 1 April) have been highlighted with yellow.

2023/0413 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a monitoring framework for resilient European forests

PUBLIC

(Text with EEA relevance)

HAVE ADOPTED THIS REGULATION:

CHAPTER 1
GENERAL PROVISIONS

Article 1

Subject matter

1. This Regulation lays down a forest monitoring framework for the Union by providing for rules:

(a) contributing to ~~increasing~~ the timeliness, accuracy, consistency, transparency, comparability, ~~reliability~~ and completeness of forest ~~data~~ **information**, within the Union and their public accessibility;

(b) […]

(c) setting up a strengthened cooperation between the Commission and the Member States regarding the collection and sharing of forest ~~data~~ **information**.

(c new) taking into account the specific situation of outermost regions.

2. This Regulation lays down rules for collecting and making accessible harmonised information to support:

(d) the implementation of Union legislation and policies pertaining to the conservation, restoration and sustainable use of forest**s** ~~ecosystems~~ and their services, safeguarding and developing multifunctional and resilient forests, including in relation to:

(a) climate change adaptation and mitigation;

(b) biodiversity;

(c) disaster risk prevention and management;

(d) forest health;

(e) forest biomass use for different socio-economic purposes;

(f) ~~invasive alien species;~~

(e) increasing forest resilience against wildfires, pests, droughts and other disturbances.

2a. ~~[~~This Regulation ~~shall~~ **does** not apply to military sites and data ~~that concerns~~ **which are protected for reasons of** national security or defence.~~]~~ *(to be further developed in the recitals)*

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

(1) […]

(2) 'geographic information system' means a computer system capable of capturing, storing, analysing, and displaying spatial information;

(3) […]

(4) 'forest data' means **means primary, unprocessed raw data, such as field measurements or remote sensing images** ~~information relating to the state and condition of forest ecosystems and their use based on primary data and on modelled or aggregated information derived from such data~~;

(5) 'Earth Observation' means the collection of data about the physical, chemical, and biological systems of the Earth through remote sensing technologies such as satellites or airborne platforms carrying imaging or other sensors;

(6) 'forest' means land spanning more than 0,5 hectares with trees higher than 5 metres and a tree crown cover of more than 10 %, or trees able to reach those thresholds in situ, excluding land that is predominantly under agricultural or urban land use. It includes areas with trees, including groups of growing, young, natural trees, or plantations that have yet to reach the minimum values for tree crown cover or an equivalent stocking level or minimum tree height, including any area that normally forms part of the forest area but on which there are temporarily no trees as a result of human intervention, such as harvesting, or as a result of natural causes, but which area can be expected to revert to forest;

(7) 'other wooded land' means land other than forest, spanning more than 0,5 hectares; with trees higher than 5 meters and a tree crown cover of 5 to 10%, or trees able to reach these thresholds *in situ*; or with a combined cover of shrubs, bushes and trees above 10 %. It excludes land that is predominantly under agricultural or urban land use;

(8) '~~data~~ harmonisation' means a process utilising available data collected through different monitoring systems to derive comparable ~~data~~ information **at Union level** in accordance with an agreed reference description;

(9) […]

(10) '*in situ* data' means data collected in the field through a network monitoring sites, such as those used for forest inventories, following nationally standardised protocols. ~~[It includes the geographically explicit location of the measurement, georeferenced *inter alia* with Global Navigation Satellite System services.]~~

(10a) 'forest information' means processed, structured, and agreegated forest data relating to the state of forest ecosystems and their use ~~primary or aggregated forest data, forest statistical data, Earth observation data and indicators derived from such data~~;

(10b) ~~'forest indicator' means a measurable variable or parameter used to assess the condition, trends and sustainability of forests based on forest data;~~

(10c) ~~**'agricultural use' means the use of land for the purposes of agriculture, including for agricultural plantations and set-aside agricultural areas, and for rearing livestock;**~~

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CHAPTER 2
FOREST MONITORING

Article 3

Forest monitoring system

1. The Commission shall, in cooperation with the Member States in accordance with Article 11, set up and operate a forest monitoring system comprising the following elements:

   (a) […]

   (b) a forest data collection framework, as set out in Articles 5;

   (c) a forest ~~data~~ **information** sharing framework, as set out in Article 7.

2. The forest monitoring system shall consist of ~~[~~electronic~~]~~ databases and geographic information systems and shall enable the Commission to facilitate the exchange and integration of forest data **and information** with other electronic databases and geographic information systems, ~~including those developed in accordance with Part 3 of Annex V to Regulation (EU) 2018/1999 of the European Parliament and of the Council[1] and Article 33 of Regulation (EU) 2023/1115~~.

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1 Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council *(DO L 328 de 21.12.2018, p. 1,* ELI: http://data.europa.eu/eli/reg/2018/1999/oj).

The forest monitoring system shall ensure, ~~for the forest data set out in this Regulation~~, the regular and systematic collection of **the forest data set out in this Regulation**:

(a) Earth observation forest data on the basis of aerial or space-borne orthoimagery, by Copernicus Sentinel satellites or other equivalent systems;

(b) *in situ* data through a network of monitoring sites.

(c new) other relevant sources**, such as forest management plans**.

3. The Commission may seek the assistance of existing regional institutional cooperation structures, including those under regional Conventions and other forest relevant fora and processes, to facilitate the setting up and operation of the forest monitoring system and to provide the competent authorities of the Member States with technical advice on forest monitoring.

4. The European Environment Agency shall assist the Commission ~~[~~and the Member States~~]~~ in the implementation of the forest monitoring system, including in the development and operation of the Forest Information System for Europe (FISE).

5. The Commission shall share the Earth Observation data it produces free of charge with the Member States' authorities competent for the forest monitoring system or with suppliers of services authorised by those authorities to represent them.

Article 4

Geographically explicit identification system for forest units

[…]

Article 5

Forest data collection framework

1. The forest data collection framework shall be operational by [*PO: please insert the date = 24 months after the entry into force of this Regulation*], with regard to the collection of forest data referred to in paragraph 3.

2. […]

3. Member States shall collect **forest** data ~~on~~ **to provide** the following forest **information** ~~indicators~~:

(a) forest area;

(aa) forest type;

(ab) other wooded lands;

(ac) aboveground biomass;

(ad) [defoliation ~~*(poss)*~~;]

(b) growing stock volume;

(c) net annual increment;

(d) ~~stand~~ **forest** ~~structure~~;

(e) tree species composition and richness;

(f) […]

(g) […]

(h) ~~[…]~~ **deadwood**

(i) […]

(j) […]

(k) ~~location~~ **area** of primary and old-growth forests;

(l) protected forest areas;

(m) […]

(n) […]

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4. For the purposes of paragraph 3, Member States shall collect *in situ* data on the basis of ground surveys in combination with, where available, data from Earth Observation, and data from other relevant information sources. The ground surveys shall be based on a network of monitoring sites, including but not limited to those used for National Forest Inventories. Monitoring sites shall be representative of, and consistent with, the Member State's forest area referred to in paragraph 3 point (a).

~~(4a) Member States may collect supplementary forest data, as deemed necessary for the effective implementation of this Regulation~~.

5. ~~[...]~~ **When sharing the information listed in paragraph 5(3) in accordance with the frequency set out in Annex II, Member States may use:**

a) the latest available data;

b) estimates based on national forest inventory cycles;

c) annual data updates.

Article 5a

~~Data~~ Harmonisation process

1. Member States shall carry out the harmonization of the forest data **to provide the forest ~~indicators~~ information** listed in Article 5(3) in accordance with the technical specifications set out in Annex II.

2. Member States may seek assistance from the Commission or existing institutional cooperation structures and associations, including those under regional Conventions and other forest relevant fora and processes to ~~process~~ **carry out** harmonization.

3. Member States may choose to have the Commission ~~to~~ carry out the harmonization for ~~one or several~~ of the ~~indicators~~ **information** listed in Article 5(3) in accordance with the technical specifications set out in Annex II. **Member States choosing this option shall provide the Commission the forest data necessary for the estimation of the information listed in Article 5(3), at least one year before reporting on the forest information concerned.**

~~**3a. Member States shall notify their intention to have the Commission carry out the harmonization and provide the forest necessary data necessary for the estimation of indicators, at least one year before reporting on the forest data concerned.** *(moved from paragraph 5)*~~

4. Where a Member State chooses the option provided for in paragraph 3, the Commission shall share limited, secured and harmonized ~~data indicators~~ **information** referred to in Article 5(3) in accordance with Article 7(2).

~~5. Member States shall notify their intention to have the Commission carry out the harmonization and provide the necessary data at least one year before reporting on the forest data concerned.~~

Article 6

Opt-out

[…]

Article 7

*Forest ~~data~~ **information** sharing framework*

1. By [*PO: please insert the date = 36 months after the date of entry into force of this Regulation*, the Member States shall share the latest available ~~[aggregated]~~ forest ~~data~~ **information** referred to in Article 5(3) in accordance with the technical specifications set out in Annex II, by making them publicly accessible. ~~The Member States shall ensure data harmonisation by sharing, aggregated forest data in accordance with the descriptions set out in Annex II. Sharing of the geographically exact location of monitoring sites shall be subject to the establishment of the safeguards referred to in Article 9(2) in the Regulation (EC) No 223/2009 on European statistics and the current statistical principles.~~

1a. ~~Member States and the Commission, with the support of the EEA, shall ensure effective exchange of the information and data referred to in paragraph 1, respecting the statistical confidentiality. Member States shall also ensure that the Commission and the EEA have timely and effective access to the forest data referred to in Article 5(3).~~

1b. ~~By way of derogation from the first and the second paragraphs, if disclosure of certain forest data would adversely affect public security or national defence, Member States may decide not to report, exchange nor ensure access to such data and information.~~

2. The Member States and the Commission shall make ~~[~~publicly~~]~~ accessible the ~~data~~ **information** referred to in Article 5(3) **and 8(1), with the exception of** ~~[except for primary~~ data at the monitoring site level, in the case of those Member States that choose to use Article 5a(3),~~]~~ in an open format that is machine-readable and that ensures interoperability and re-usability in accordance with Article 5 of Directive (EU) 2019/1024, ~~[except the geographically explicit location of monitoring sites].~~

3. The Commission shall make the following ~~data~~ **information** publicly accessible in FISE:

(a) […]

(b) the ~~data~~ **information** shared in accordance with paragraph 1 of this Article, with the exception of the ~~geographically exact location [and~~ the ~~raw~~ data~~]~~ of monitoring sites;

(c) […]

(d) ~~[…]~~ **the information collected in accordance with Article 8(1).**

3a. The Commission shall make publicly accessible in FISE the forest information ~~for the following indicators~~, also listed in Annex III(a) and reported in accordance with the requirements of other forest-related Union legislative acts **and other relevant reporting systems**:

(a) area of forest habitats in Natura 2000 sites;

(b) common forest birds index;

(c) forest biomass for bioenergy;

d. forest connectivity ~~(poss.)~~;

f. ~~deadwood~~;

g. forest available for wood supply and forest not available for wood supply.

ga. removals;

gb. production and trade of wood products;

gc. forest fires;

gd. share of forests with uneven-aged structure.

4. […] *(this paragraph could be moved to a recital)*

5. The Commission is empowered to adopt delegated ~~[implementing]~~ acts to amend the technical specifications set out in Annex II, in order to adapt them to technical and scientific progress. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).

5a. The Commission is empowered to adopt implementing acts specifying the data exchange format and rules and procedures for sharing the forest ~~data~~ **information** under this Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).

5b. ~~[The Commission is empowered to adopt implementing/~~**~~delegated~~** ~~acts to modify the indicators specified in Annex III(a), in order to comply with policy developments in any other forest-related Union legislation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).]~~

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Article 8

*~~Additional~~ Forest data **sharing***

Member States may provide the forest data that is necessary for the validation of the remote sensing information collected pursuant to Regulation (EU) No 2021/696 for [at least one of] the following forest information that is relevant to disaster risk prevention, in accordance with the technical specifications set out in Annex IIIb:

(a) defoliation;

(b) wildfire risk assessment;

(c) tree cover disturbances.

~~[...]~~

Article 9

Compatible data storage and exchange systems

1. The Commission and the Member States shall cooperate to develop compatible ~~data~~ **information** storage and exchange systems for the collection and sharing of forest ~~data~~ **information** under the forest monitoring system, with the assistance of the existing regional institutional cooperation structures, including those under regional Conventions and other forest relevant fora and processes, referred to in Article 3(3).

2. [The Commission is empowered to adopt implementing acts laying down rules on procedures and formats to be used to ensure the compatibility of data storage and exchange systems referred to in paragraph 1, and to establish confidentiality preserving safeguards for the inclusion into those data storage and exchange systems of information relating to monitoring plots data, including geographically explicit location of monitoring sites in the case of those Member States that choose to use Article 5a(3). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).]

Article 10

Data quality control

(Article to be modified according to the changes in Article 5)

1. The Commission and the Member States shall be responsible for the quality and completeness of the forest ~~data~~ **information** that they collect and share under the forest monitoring system.

2. Member States, with the frequency of ~~data~~ **information** ~~collection~~ **sharing** referred to in the Annexes, shall assess the quality of the ~~data~~ **information** they respectively collect ~~and exchange~~ in accordance with this Regulation.

   [Where the assessment reveals deficiencies in the data, Member States shall adopt appropriate remedial actions, ~~each~~ for the data they collect ~~and share~~. Member States shall submit to the Commission the assessment reports on the quality of data and, where appropriate, the description of the remedial actions, [their estimated cost] and the timetable for their implementation by 1 July following the calendar year in which the deficiency was identified.

3. […]

4. The Commission is empowered to adopt implementing acts to specify the contents of the assessment reports on the quality of data collected under this Regulation and arrangements for their submission to the Commission as well as the description of remedial actions referred to in paragraph 2, second subparagraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).]

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CHAPTER 3

INTEGRATED GOVERNANCE

PUBLIC

Article 11

Coordination and cooperation

1. The Member States and the Commission shall coordinate their efforts and cooperate to improve the quality, timeliness and coverage of forest ~~data~~ **information**. Such cooperation and coordination may be held within the Standing Forestry Committee established by Council Decision 89/367/EEC.

2. […]

3. Member States shall cooperate among each other and coordinate their actions to improve the quality, timeliness and coverage of forest data **and information**.

4. Member States and the Commission may seek the assistance of and use existing regional institutional cooperation structures and international bodies, including those under regional Conventions and other European forest fora and relevant processes for forest inventories and monitoring.

Article 12

National correspondents

1. Each Member State shall designate one or more national correspondent**s** and shall inform the Commission thereof.

2. The national correspondent**s** shall, in particular, carry out the following tasks:

   (a) coordinate the preparation of the forest ~~data~~ **information** to be shared under this Regulation, taking into consideration all competent authorities, [including those responsible for disaster risk prevention and management];

   (b) coordinate attendance of relevant experts on forest ~~data~~ **information** and forest monitoring in expert group meetings organised by the Commission and other relevant bodies.

3. […]

Article 13

Voluntary integrated long-term plans

[…]

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CHAPTER 4
FINAL PROVISIONS

[Article 14
Exercise of the delegation]

1. [The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 7(5), first subparagraph, and Article 10(3) shall be conferred on the Commission for an indeterminate period of time from [*PO: please insert the date = the date of entry into force of this Regulation*].

3. The delegation of power referred to in Article 7(5), first subparagraph, and Article 10(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.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. Delegated acts adopted pursuant to Article 7(5), first subparagraph, and Article 10(3) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 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 2 months at the initiative of the European Parliament or of the Council.]

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Article 15

Committee procedure

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

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

Article 16

Review

1. This Regulation shall be kept under review in all aspects, taking into account the relevant developments concerning Union legislation, international frameworks, technological and scientific progress, additional monitoring needs and the quality of data shared under this Regulation.

2. By [*OP please insert the date = five years after the entry into force of this Regulation*], the Commission shall report to the European Parliament and to the Council on the implementation of this Regulation.

Article 17

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council

The President

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