



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 01.12.2003
COM(2003) 738 final

2002/0164 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty
on the European Parliament's amendments
to the Council's Common Position regarding the position of the European Parliament
adopted in second reading concerning a Regulation of the European Parliament and of
the Council concerning monitoring of forests and environmental interactions in the
Community (Forest Focus)**

AMENDING THE PROPOSAL OF THE COMMISSION pursuant to Article 250 (2) of the
EC Treaty

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1. Introduction

Article 251(2), third subparagraph, point (c) of the EC Treaty provides that the Commission is to deliver an opinion on the amendments proposed by the European Parliament at Second Reading. The Commission sets out its opinion below on the 12 amendments proposed by Parliament.

2. Background

- Date of transmission of the Proposal to the European Parliament and Council (COM (2002) 404 final – 2002/0164 (COD)): 15 July 2002.
- Date on which the European Economic and Social Committee adopted its opinion: 12 December 2002.
- Date on which the Committee of the Regions adopted its opinion: 12 February 2003.
- Date on which the European Parliament gave its opinion at First Reading: 13 February 2003.
- Date on which the Commission gave its position on EP amendments at 1st Reading: 13 February 2003.
- Date on which the Council adopted the Common Position: 13 June 2003
- Date on which the Commission communicated its view on the Common Position (SEC (2003) 725 final -2002/0164 (COD)): 17 June 2003.
- Date on which the Common Position was received by the European Parliament: 25 June 2003

On 21 October 2003, the European Parliament at its Second Reading adopted 12 amendments, based on a compromise package agreed at the meeting of the Coreper on 14 October 2003 by the majority of Member States and the Commission.

Purpose of the Regulation

The purpose of the present proposal for a European Parliament and Council regulation is the establishment of a new Community scheme on monitoring of forests and environmental interactions to protect the Community's forests. The scheme will be built on the achievements of two Council regulations concerning the protection of Community's forests against atmospheric pollution¹ and against fires².

The initial proposal for Forest Focus provides a multi-annual framework covering initially a 6-year period from 2003 to 2008. It aims at adapting the scope of the above mentioned regulations to provide a flexible monitoring scheme to assess forest ecosystem conditions in a broader context.

3. Opinion of the Commission on the amendments by the European Parliament

On 21 October 2003, the European Parliament adopted 12 amendments out of 33 that were tabled. The Commission can accept all amendments (n°22 to n°33) adopted as part as a global compromise package.

Amendments accepted by the Commission

Amendments **22, 23 and 25** seek to incorporate into Forest Focus forest fire prevention measures and thus to broaden the scope of the scheme and to allow financial support to these measures, which are not covered by the Regulation on Rural Development or not covered by the rural development programmes.

Amendments **24 and 27 (second part)** seek to allow exceptionally retrospective co-financing in order to ensure the continuity of monitoring activities. There is a need to allow expenditure incurred by a Member State to be eligible for co-financing if it relates to actions that were launched after 1 January 2003 and before the entry into force of this Regulation provided that these actions have not been completed when the Commission approves the related national programme.

Amendment **28** proposes a shorter execution period 2003-2006 (instead of 2003-2008). According to this amendments **26, 27(first part) and 32** seek for the necessary adaptations concerning the review ("mid-term review" is replaced by "review"), a shorter period for the national programmes (2 years instead of 4 years), reporting by Member States. The Commission can accept this as this proposal aims to bring Forest Focus in line with the time horizon of the financial perspectives and the Rural Development Regulation (EC) N° 1257/99.

Amendment **29** proposes that the Commission may finance activities of the Scientific Advisory Group. This group has a central role in the scheme and the amendment aims at further strengthening this expert group.

Amendment **30** proposes in particular an increased budget of €61m (instead of €52m+€2m in the Common position) out of which €9m are earmarked for fire prevention measures.

¹ Council Regulation (EEC) N° 3528/86 of 17 November 1986 on the protection of Community's forests against air pollution, OJ L 326, 21.11.1986, p.2.

² Council Regulation (EEC) N° 2158/92 of 23 July 1992 on the protection of Community's forests against fire, OJ L 217, 31.07.1992, p.3.

Amendment **31** seeks to get full compliance with the new financial regulation.

Amendment **33** proposes a report by the Commission to the European Parliament and the Council, reviewing the effectiveness of the scheme in order to provide a basis for any decision on the continuation of these activities after 2006.

Conclusion

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.