



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.7.2002
COM(2002) 404 final

2002/0164 (COD)

Proposal for a

EUROPEAN PARLIAMENT AND COUNCIL REGULATION

concerning monitoring of forests and environmental interactions in the Community

(Forest Focus)

(presented by the Commission)

EXPLANATORY MEMORANDUM

OBJECTIVE OF THE PROPOSAL

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 for monitoring the impacts of atmospheric pollution¹ and of fires² on forest ecosystems. The present proposal 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. It also simplifies existing activities by regrouping elements of both regulations under a single framework regulation covering the protection and monitoring of forests.

BACKGROUND

Legislative Background

A Community scheme to protect forests against atmospheric pollution was established by Council regulation (EEC) N° 3528/86 in order to provide increased protection for forests in the Community and thereby contribute in particular to safeguarding the productive potential of agriculture.

The action aims at setting up a long-term forest monitoring system. The Community action was implemented in close co-operation with the International Co-operative Programme on the Evaluation and Monitoring of Air Pollution Effects on Forests (ICP Forests) under the UN-ECE Convention on Long-range Trans-boundary Air Pollution (Geneva, 1979)³, to which the European Community is a signatory party. The regulation foresees a 50% Community co-financing of measures carried out by Member States in the context of national programmes.

Council regulation (EEC) No 2158/92 set up an action framework mainly for the prevention of forest fires. Various measures were co-financed under this regulation, such as the creation or improvement of existing prevention systems and, in particular, the establishment of protection infrastructure (forest paths, tracks, hydrants, firebreaks, etc.), as well as the creation or improvement of systems to monitor forests or identify the causes of forest fires and determine the means for combating them. The forest fire information system is one of the elements of this regulation, which will be also covered by the proposed framework regulation.

Council Regulation (EC) No 307/97 of 17 February 1997⁴ amending Regulation (EEC) No 3528/86 referred to Article 43 of the Treaty as the legal basis. On 30 April 1997 the European Parliament submitted an application on this subject to the Court of Justice. On 25 February 1999 the Court delivered a judgement in Joined Cases C-164/97 and C-165/97⁵, in which it noted that the Council should have taken Article 130 of the Treaty (now Article 175 of the EC Treaty) as the sole legal basis. Consequently, Regulation (EC) No 307/97 was annulled.

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.

³ UN/ECE, 1979, the Convention on Long-range Transboundary Air Pollution.

⁴ OJ L 51, 21.02.1997, p. 9.

⁵ [1999] ECR I – 1139.

However, the Court suspended the effects of the annulment until the Council adopts a new regulation on the same subject within a reasonable period. This new regulation (EC) 1484/2001⁶ entered into force on 21 July 2001. Council Regulation (EEC) No 3528/86 has recently been amended by Regulation (EC) No 804/2002⁷.

Protecting forests against atmospheric pollution

In co-operation with ICP Forests, Community action has been developed over the years in line with objectives formulated in Ministerial Conferences on the Protection of Forests in Europe (Strasbourg⁸, Helsinki⁹ and Lisbon¹⁰) and the United Nations Conference on Environment and Development (UNCED) (Rio de Janeiro 1992). The Community action has been implemented by Commission regulations 526/87¹¹, 1696/87¹², 1091/94¹³ and 2278/99¹⁴ and has fulfilled the objectives set by the Council.

Protecting forests against forest fires

In 1994, the Commission adopted regulation (EC) 804/94¹⁵ on implementing the Community forest-fire information system. This regulation introduced systematic collection of a set of data on each fire occurring, for all areas at risk of fire in the Member States participating in the system. The forest-fire information system now covers six Member States of the Union with fire-risk areas: Germany, Portugal, Spain, France, Italy and Greece. The system is an operational tool for monitoring and assessing the measures taken by the Member States and the Commission for fire prevention.

References to Environmental Policies and Integrating New Environmental Issues

This enhanced monitoring regulation is related to the overall package of environmental action areas and will follow a scientific based approach. The various monitoring elements proposed are all related to key priorities in the 6th Environmental Action Programme¹⁶ and the Sustainable Development Strategy¹⁷, i.e. pollution, climate change, biodiversity, natural resources and soils.

Environmental legislation and policies at Union level, such as the Clean Air for Europe Programme¹⁸, the 2000/60/EC Water Framework Directive¹⁹, the 79/409/EEC Directive on the conservation of wild birds²⁰ and the 92/43/EEC Directive on the conservation of natural

⁶ OJ L 196, 20.07.2001, p. 1.

⁷ OJ L 132, 17.05.2002, p. 1.

⁸ General Declaration and Resolutions Adopted. First Ministerial Conference on the Protection of Forests in Europe, Strasbourg, 1990.

⁹ General Declaration and Resolutions Adopted. Second Ministerial Conference on the Protection of Forests in Europe, Helsinki 1993.

¹⁰ General Declaration and Resolutions Adopted. Third Ministerial Conference on the Protection of Forests in Europe, Lisbon 1998.

¹¹ OJ L 53, 21.02.1997, p. 14

¹² OJ L 161, 22.06.1987, p. 1

¹³ OJ L 125, 18.05.1994, p. 1

¹⁴ OJ L 279, 29.10.1999, p. 3

¹⁵ OJ L 093, 12.04.1994, p. 11.

¹⁶ The 6th Environmental Action Programme: Our Future our Choice, 24.1.2001, COM (2001) 31 final.

¹⁷ A Sustainable Europe for a better world: A European Union Strategy for Sustainable Development, 15.5.2001, COM (2001) 264 final.

¹⁸ Communication from the Commission, The Clean Air for Europe (CAFE) Programme: Towards a Thematic Strategy for Air Quality, 4.5.2001, COM (2001) 245 final.

¹⁹ OJ L 327, 22.12.2000, p 1.

²⁰ OJ L 103, 25.04.1979, p 1.

habitats and of wild flora and fauna²¹, as well as the recent EU Thematic Strategy for Soil Protection²², need better information to identify the nature of risks and uncertainties, so as to provide a basis for solutions and further policy decisions. A Community scheme on monitoring of forests and environmental interactions will contribute to meeting these needs.

The proposed monitoring activity could assist substantially the monitoring requirements deriving from European Climate Change Programme²³, the EU Biodiversity Strategy²⁴ and corresponding Biodiversity Action Plans, the Soil Strategy and the forthcoming scheduled work on the Soil Monitoring Directive and could contribute to Global Monitoring of Environment and Security (GMES) activities.

The European Union and its Member States are committed to promote sustainable development in all policies and actions. The EU and its Member States are also committed to the sustainable management and protection of forests in all relevant international and pan-European processes related to forests such as in particular the Forest Principles agreed at the 1992 UN Conference for Environment and Development in Rio de Janeiro and the subsequent work deriving from its follow-up²⁵, the ongoing process of the Ministerial Conference on the Protection of Forests in Europe and the resolutions²⁶ adopted so far in this context, as well as the Convention on Long-range Transboundary Air Pollution and the protocols under this Convention.

Evaluation of the proposed Community scheme

The proposal has not been based on an ex-ante evaluation, as the proposed scheme builds on the monitoring activity of the Council Regulations (EEC) No 3528/86 and (EEC) No 2158/92. The Commission has recently prepared a report on the application of the monitoring activity 1987-2001, which will be sent to the European Parliament and the Council.

However, the proposal has taken into consideration the results of an independent review of the monitoring activity. Centralised co-ordination by a Scientific Co-ordination Body, continuous monitoring of activities carried out by the scheme and a new organisational structure, shall help to further improve the efficiency of the scheme. The requirement in the National Programmes of the Member States to elaborate ex-ante, midterm and ex-post evaluations will enhance the transparency of the scheme's activities and its overall cost efficiency. The Commission will similarly carry out a midterm review of the scheme followed by an evaluation report at the end of the execution period of the scheme.

OUTLINE OF THE PROPOSED FRAMEWORK MONITORING REGULATION

Legal Basis

According to the decision of the European Court (25 February 1999) concerning the legal basis for Council regulation (EEC) N° 3528/86 as well as for Council regulation (EEC)

²¹ OJ L 206, 22.07.1992, p 7.

²² Communication from the Commission to the Council and the European Parliament, Towards a Thematic Strategy for Soil Protection, 16.4.2002, COM (2002) 179 final.

²³ EU policies and measures to reduce greenhouse gas emissions: Towards a European Climate Change Program, COM (2000) 88 final.

²⁴ A European Community Biodiversity Strategy, 5.02.1998, COM (1998) 42 final.

²⁵ UNCED, 1992, the Convention on Biological Diversity, the Convention on Climate Change, the UN Intergovernmental Panel and Forum on Forests and the UN Forum on Forests.

²⁶ Ministerial Conferences on the Protection of Forests in Europe (Strasbourg, 1990, Helsinki, 1993 and Lisbon, 1998).

2158/92 and with respect to the objectives of the future EU action Article 175 of the Treaty is the only legal basis. The Community policy on the environment shall contribute, under Article 174, paragraph 1, to preserve, to protect and to improve the quality of the environment and encourage prudent and rational use of natural resources, taking into account the diversity of situations in different regions of the Community.

Implementation of the scheme

The framework regulation will be implemented by Commission regulations, which will prescribe general aspects of the monitoring activities, procedures to be followed for reporting and for the national programmes. The Commission regulations will also deal with the establishment of manuals that describe the monitoring methods.

Objectives, Content and Definitions (Article 1 – 3)

The main objective of the proposed action is to provide a framework for a Community scheme to contribute towards the protection of forest ecosystems in the Community by monitoring the conditions of these ecosystems. The objective cannot be sufficiently achieved by the Member States acting separately. It can be better achieved by a Community action in order to ensure harmonised data collection and the provision of policy relevant information at Community level, which shall help the evaluation of ongoing Community measures to promote the conservation and sustainable management of forest ecosystems.

The following aspects have been taken into account:

- Nearly 44% of the total land area of the EU is covered with forests and other wooded areas. Forest ecosystems fulfil various functions with economic, social and ecological significance. Furthermore forest ecosystems are also habitat for various species of plants and animals.
- Forest ecosystems are exposed to serious threats from air pollution, fires, climatic change, and attacks from parasites and diseases. Most of these threats can have cross-border effects and can seriously upset and even destroy forest ecosystems.
- The protection of forest ecosystems is therefore a major concern. The European Union and its Member States are committed to the protection of forests and to the sustainable management of forests in all relevant pan-European and international processes related to forests. The forest strategy and the sixth environmental action programme address forest related issues of concern and identify monitoring needs.
- Forest ecosystem conditions, changes of these conditions, forests ecosystems reaction to environmental stress and the effects of policies can only be traced by means of monitoring.
- Changes in forest ecosystem condition as well as the reasons for these changes may be recognised at an early stage thereby allowing the adoption of timely and appropriate measures in due time.
- A long-term monitoring programme, which is flexible in its implementation, is needed to achieve these objectives.

The future EU scheme shall be based on four pillars:

- establishment of a monitoring programme on air pollution effects on forests,
- establishment of forest fire monitoring,
- continuous evaluation of the efficiency of monitoring activities in the assessment of forest ecosystem conditions and the further development of monitoring activity,

- establishment of new monitoring activities on forest biodiversity, soils, climate change and carbon sequestration after the development of appropriate monitoring methods and provided that the necessary additional financial resources will be made available by the budgetary authority.

Monitoring and tools to improve and develop the scheme (Article 4-7)

The monitoring of air pollution effect on forests will be carried out on a systematic network of observation points, which covers the whole Community, and a network of intensive monitoring plots. The systematic network provides representative information on forest conditions and changes. Intensive monitoring in selected plots allows for in-depth monitoring activities in order to observe ecosystem processes. Thus the intensive monitoring plots and the monitoring on the systematic network of points complement each other.

Fires seriously affect forests in many parts of the Community. The forest fire monitoring will be established with a view to monitoring the extent and causes of forest fires. It will allow assessing the impacts of fires on forest ecosystem conditions and will provide an operational tool for monitoring and assessing the measures taken by the Member States and the Commission. The provisions of the Programme activities will support and complement activities related to forest fires undertaken under the provisions of civil protection²⁷, the Council Regulation (EEC) N° 1257/99 on support for rural development²⁸ and the European Forest Information and Communication System (EFICS)²⁹.

The Commission shall conduct studies, experiments and demonstration projects, which shall in particular help to develop the scheme and to further improve its efficiency. In order to make full use of the results derived from these actions, Member States will be asked to conduct studies, experiments and demonstration projects in the new monitoring areas. The determination of appropriate parameters, the elaboration of methods for data collection and a test phase to check the feasibility and practicability of the methods are therefore prerequisites for the gradual incorporation of new monitoring elements.

National Programmes, Co-ordination and Co-operation (Article 8-11)

The monitoring activities to be carried out by the Member States, in particular the collection of data as well as studies, experiments and demonstration projects shall be implemented under multi-annual national programmes (3 years period).

To achieve these objectives the Commission shall establish a Scientific Co-ordination Body, which may be within the Joint Research Centre. It shall in particular organise the collection and assessment of data and shall develop a Community data platform.

The Commission may need additional assistance from contracted decentralised thematic centres and may in addition consult and contract experts and research institutes for carrying out specific works.

The European Environmental Agency shall assist the Commission in its reporting activity. In this context co-operation with pan-European and international bodies, in particular with ICP Forests in the common field of monitoring air pollution, is needed to ensure a coherent approach to monitoring.

²⁷ OJ L 327, 21.12.1999, p. 53.

²⁸ OJ L 160, 26.06.1999, p. 80.

²⁹ OJ L 165, 15.06.1989, p. 12.

Period of Execution and Financial Aspects (Article 12-13)

The scheme shall run for 6 years, from 1 January 2003 to 31 December 2008. The proposed framework regulation will provide co-financing up to 50% of the eligible costs for monitoring activity and database platforms, as well as for studies, experiments and demonstration projects to be carried out by Member States in the context of their national programmes. The Commission will finance its own activities, such as co-ordination and evaluation work, as well as studies, projects and experiments. A contribution shall be made to the European Environmental Agency. Furthermore, a contribution may be provided to ICP Forests to establish a scientific interface with the Scientific Co-ordination Body of the Community, thus allowing the ICP Forests to ensure the exchange of knowledge, information and data and to allow for a coherent approach in common fields of forest monitoring.

In order to conduct monitoring of air pollution effects on forests and on forest fires, to develop new monitoring activities and to improve the scheme 52 Million EUR shall be provided for the period 2003-2006. For the years 2007 and 2008, the annual amount of 13 million EURO may be increased in order to fund new activities, provided such an increase is approved by the budgetary authority.

Execution, Reporting by Member States, Standing Forestry Committee (Article 14 – 17)

The Member States shall each designate one National Focal Centre to ensure efficient and clear communication structures.

The data gathered under the scheme shall be submitted by the National Focal Centres to the Commission. The environmental data gathered under the scheme shall be made available to the public and especially to experts and research institutes.

A multi-annual approach with a reporting period of three years is foreseen for the reporting of the results gained from the monitoring of forest ecosystems conditions. However, for forest fires these will be for annual reporting. The Commission will conduct a review of the scheme after three years and report on its implementation.

The Standing Forestry Committee shall assist the Commission in co-ordinating, monitoring and developing the scheme for harmonised and comprehensive monitoring of forest ecosystem conditions and related environmental impacts. It will be consulted in accordance with the procedures of Council Decision 1999/468/EC³⁰ of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.

Reporting by the Commission, Review, Candidate Countries (Article 18-21)

The Commission shall conduct a review of the scheme after its first 3 year period and shall report during its fourth year based on this review, on this basis on the implementation of the scheme. Also before the running period referred to in the regulation expires, the Commission will report to the European Parliament and to the Council on the implementation of the regulation. The scheme shall be open to the candidate countries.

³⁰ OJ L 184, 17.07.1999, p. 23.

Proposal for a

EUROPEAN PARLIAMENT AND COUNCIL REGULATION

concerning monitoring of forests and environmental interactions in the Community

(Forest Focus)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175 thereof,

Having regard to the proposal from the Commission³¹,

Having regard to the opinion of the Economic and Social Committee³²,

Having regard to the opinion of the Committee of the Regions³³,

Acting in accordance with the procedure laid down in Article 251 of the Treaty³⁴,

Whereas:

- (1) Forests have an important multifunctional role for society. Apart from their significant role in the development of rural areas, forests have a major value for nature conservation, play an important role in preserving the environment, are key elements of the carbon cycle and significant carbon sinks and represent a critical controlling factor of the hydrological cycle.
- (2) Forest ecosystems can be seriously affected by natural factors such as extreme weather conditions, attacks from parasites and diseases, or human influences such as climate change, fires and air pollution. Such threats can seriously distort and even destroy forest ecosystems. Most natural and anthropogenic factors affecting forest ecosystems can have cross-border effects.
- (3) The Communication from the Commission to the Council and the European Parliament on a Forestry Strategy for the European Union³⁵ stressed the need to protect the natural environment and the forest heritage, to sustainably manage forests, and to support international and pan-European co-operation concerning the protection of forests making reference to forest monitoring and the promotion of forests as carbon sinks. The Council with its Resolution of 15 December 1998 on the Forestry

³¹ OJ C , , p. .

³² OJ C , , p. .

³³ OJ C , , p. .

³⁴ OJ C 340, 10.11.1997, p. 173.

³⁵ A Forestry Strategy for the European Union, 3.11.1998, COM (1998) 649 final.

Strategy³⁶ has called upon the Commission to evaluate and improve continuously the effectiveness of the European monitoring system of forest health and to take into account all the potential impacts on forest ecosystems. It has also called upon the Commission to pay special attention to the development of the Community Forest Fire Information System, which enables the effectiveness of the protection measures against fires to be better assessed.

- (4) The sixth environmental action programme of the European Community³⁷ identifies the need to base the drawing-up, implementation and evaluation of environmental policies on a knowledge based approach and, in particular, the need for monitoring the multiple roles of forests in line with recommendations adopted by the Ministerial Conference on the Protection of Forests in Europe and the United Nations Forum on Forests and the Convention on Biodiversity and other fora.
- (5) The Community and the Member States are committed to implement internationally agreed activities related to the conservation and sustainable management of forests, in particular, the Proposals for Actions of the Intergovernmental Panel and Forum on Forests, as well as the Expanded Work Programme on Forest Biological Diversity of the Convention on Biological Diversity³⁸.
- (6) The Community has already addressed two of the causes adversely affecting forest ecosystems conditions by Council Regulation (EEC) No 3528/86 of 17 November 1986 on the protection of the Community's forests against atmospheric pollution³⁹ and Council Regulation (EEC) No 2158/92 of 23 July 1992 on protection of the Community's forests against fire⁴⁰.
- (7) Both regulations expire on 31 December 2002 and it is in the general interest of the Community to continue and further develop the monitoring activities established by those Regulations by integrating them into a new scheme called "Forest Focus".
- (8) Measures under the scheme concerning forest fire monitoring should complement those measures which are under taken, in particular, under the provisions of Council Decision 1999/847/EC of 9 December 1999 establishing a Community action programme in the field of civil protection⁴¹, Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations⁴² and Council Regulation (EEC) No 1615/89 of 29 May 1989 establishing a European Forestry Information and Communication System (EFICS)⁴³.

³⁶ OJ C 56, 26.2.1999, p. 1

³⁷ The 6th Environmental Action Programme: Our Future our Choice, 24.1.2001, COM (2001) 31 final.

³⁸ Decision VI/22 of the Conference of the Parties to the UN Convention on Biological Diversity, 2002, The Hague.

³⁹ OJ L 326, 21.11.1986, p. 2; as last amended by Regulation (EC) No 804/2002 (OJ L 132, 17.5.2002, p.1).

⁴⁰ OJ L 217, 31.7.1992, p 3; as last amended by Regulation (EC) No 805/2002 (OJ L 132, 17.5.2002, p. 3).

⁴¹ OJ L 327, 21.12.1999, p. 53.

⁴² OJ L 160, 26.6.1999, p.80.

⁴³ OJ L 165, 15.6.1989, p.12; as last amended by Regulation (EC) No 1100/98 (OJ L 157, 30.5.1998, 10).

- (9) The scheme should encourage the exchange of information on forest ecosystem conditions in the Community and enable the evaluation of the impact of Community's measures taken to protect and develop and manage forests in the Community in a sustainable way.
- (10) In order to promote a comprehensive understanding of the relationship between forests and the environment, the scheme should also include monitoring of other important factors such as biodiversity, carbon sequestration, climate change and soils. That scheme should therefore comprise actions in order to provide for a broader range of objectives and a flexible implementation, while building on the achievements made under Regulations (EEC) No 3528/86 and (EEC) No 2158/92. It should provide for appropriate, cost efficient monitoring of forests and environmental interactions.
- (11) The Member States should implement scheme through national programmes to be approved by the Commission following a procedure, which will be set up.
- (12) The Commission should ensure the co-ordination, monitoring and development of the scheme through a Scientific Co-ordination Body and conduct it's own studies, experiments and demonstration projects.
- (13) The monitoring of forests and environmental interactions can only provide reliable and comparable information to protect forests in the Community, if data are collected on the basis of harmonised methods. Such comparable information at Community level would contribute towards the establishment of a platform containing spatial data deriving from various sources of common environmental information systems. It is therefore appropriate to prepare manuals laying down the methods to be used for monitoring of forest ecosystem conditions, the format of the data and rules for data handling.
- (14) The Commission should co-operate with other international bodies in the field of forest monitoring, and, in particular, the International Co-operative Programme on the Evaluation and Monitoring of Air Pollution Effects on Forests.
- (15) This regulation establishes a financial framework for the entire duration of the programme which is to be the principal point of reference for the budgetary authority, within the meaning of point 33 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure⁴⁴.
- (16) It is appropriate to determine the volume of the Community contribution to activities financed under the scheme.
- (17) The financial contribution to eligible costs of the activities under the scheme should support harmonised data collection and promote the further development of the scheme. During the initial phase, financial resources will mainly be assigned for the continuation of the monitoring activities established under Regulations (EEC) No 3528/86 and (EEC) No 2158/92. The scheme should, in the future, provide for additional necessary financial contribution for newly defined monitoring activities.

⁴⁴ OJ C 172, 18.6.1999, p.1.

- (18) Member States should designate co-ordination authorities and agencies at national level, responsible for the handling and forwarding of data, as well as for the administration of the Community contribution.
- (19) Member States should also draw up reports on different monitoring activities, which should be submitted to the Commission.
- (20) The data should be disseminated taking into account the Convention on access to information, public participation in decision-making and access to justice in environmental matters (Aarhus Convention)⁴⁵.
- (21) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred to the Commission⁴⁶. The Standing Forestry Committee shall assist the Commission.⁴⁷
- (22) It is important to keep the scheme under review and assess its effectiveness, in order to identify needs to be addressed. The Commission should report to the European Parliament and to the Council on the implementation of the scheme, in particular in view of its continuation beyond the implementation period fixed in this Regulation.
- (23) Since the objectives of the proposed action, namely the monitoring of forests, their ecosystems conditions and environment interactions, cannot, by their very nature, be sufficiently achieved by the Member States and can therefore, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. 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 those objectives.
- (24) The Europe Agreements between the European Union and its Member States, of the one part, and the candidate countries of Central and Eastern Europe, of the other part, provide for participation of these countries in Community programmes, in particular in the field of the environment.
- (25) In the light of the expiry of Regulations (EEC) No 3528/86 and (EEC) No 2158/92 and in order to avoid any overlap or void it is appropriate for the regulation to apply from 1 January 2003.

⁴⁵ Convention on access to information, public participation in decision making and access to justice in environmental matters. UN/ECE, 1998.

⁴⁶ OJ L 184, 17.7.1999, p. 23.

⁴⁷ OJ L 165, 15.6.1989, p. 14.

HAVE ADOPTED THIS REGULATION:

Objectives, Content and Definitions

Article 1

A Community scheme for broad based, harmonised and comprehensive, long-term monitoring of forest ecosystems conditions, (hereinafter referred to as "the scheme") is hereby established to encourage the implementation of monitoring activities, in particular in the following areas:

- a) monitoring and protection of forests against atmospheric pollution;
- b) monitoring and protection of forests against fires;
- c) monitoring of biodiversity, climate change, carbon sequestration and soils;
- d) continuous evaluation of the efficiency of the monitoring activities in the assessment of forest ecosystems conditions and the further development of monitoring activity.

The scheme shall provide reliable and comparable data and information on forest ecosystems conditions and harmful influences affecting the Community's forest ecosystems. It shall also help to evaluate ongoing Community measures to promote conservation and sustainable management of forests, with particular emphasis on actions taken to reduce impacts negatively affecting forest ecosystems.

Article 2

1. The scheme shall provide for actions in order to:
 - a) promote harmonised collection, handling and assessment of data;
 - b) improve data evaluation and promote integrated data evaluation at Community level;
 - c) improve the quality of data and information gathered under the scheme;
 - d) further develop the monitoring activity of the scheme;
 - e) enhance the understanding of forest ecosystems and, in particular, the causes of natural and anthropogenic stresses;
 - f) study the dynamics of forest fires and their impacts on forest ecosystems;
 - g) develop indicators and methodologies for cumulative risk assessment.
2. The actions set out in paragraph 1 shall be complementary to Community research programmes.

Article 3

1. For the purpose of this regulation, the following definitions shall apply:
 - a) "Forest ecosystems" means "forest" being land with tree crown cover (or equivalent stocking level) of more than 10 percent and area of more than .5 ha., the trees being able to reach a minimum of 5m. at maturity *in situ*, and "other wooded land" being land either with a tree crown cover (or equivalent stocking level) of 5 to 10 percent of trees able to reach a height of 5 m. at maturity *in situ*; or land with a crown cover (or equivalent stocking level) of more than 10 percent of trees not able to reach a height of 5 m at maturity *in situ* (e.g. dwarf or stunted trees) or shrub or bush cover;
 - b) "Ecosystem" means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit";
 - c) "Development of the scheme" means the elaboration and establishment of new monitoring activities;
 - d) "Improvement of the scheme" means the optimisation of monitoring activities already implemented.
2. Forest as referred to in paragraph 1 (a) may consist either of closed forest formations where trees of various storeys and undergrowth cover a high proportion of the ground; or of open forest formations with a continuous vegetation cover in which tree crown cover exceeds 10 percent. Young natural stands and all plantations established for forestry purposes which have yet to reach a crown density of 10 percent or tree height of 5m are included under forest, as are areas normally forming part of the forest area which are temporarily unstocked as a result of human intervention or natural causes, but which are expected to revert to forest.

Monitoring and tools to improve and develop the scheme

Article 4

1. Building on the achievements of Regulation (EEC) N° 3528/86, the scheme shall:
 - a) continue and further develop a systematic network of observation points in order to conduct periodic inventories in order to get representative information of forest ecosystems conditions;
 - b) continue and further develop a network of observation plots, on which intensive and continuous monitoring of the forest ecosystems is are carried out.
2. The detailed rules for the implementation of paragraph 1 shall be laid down in accordance with the procedure referred to in Article 17 (2).

Article 5

1. Building on the achievements of Regulation (EEC) N° 2158/92, the scheme shall continue and further develop an information system in order to collect comparable information on forest fires at Community level.
2. The scheme shall allow Member States to conduct studies on the identification of the causes and dynamics of forest fires, as well as on the response of forest ecosystems to them. Those studies shall complement activities and measures related to forest fires undertaken under the provisions of Decision 1999/847/EC, Regulation (EC) No 1257/1999 and Regulation (EEC) No 1615/89.
3. Member States may, at their request, participate in the measures and activities referred to in paragraphs 1 and 2.
4. The detailed rules for the implementation of paragraphs 1 and 2 shall be laid down in accordance with the procedure referred to in Article 17(2).

Article 6

1. For the realisation of the aims set out in Article 1(c), the Commission shall conduct studies, experiments and demonstration projects to further develop the scheme and, in particular to:
 - a) enhance the knowledge of forest ecosystems conditions as well as the relationship between forest ecosystems conditions and natural and anthropogenic stresses;
 - b) assess impacts of climate change on forest ecosystems, including forest biodiversity;
 - c) identify key structural and functional ecosystems elements to be used as indicators for assessing status and trends of forest ecosystems biodiversity;
 - d) study the interactions between forests and the environment.
2. Based on the findings of the measures set out in paragraph 1, the Commission may ask Member States to carry out studies, experiments, demonstration projects or a monitoring test phase.
3. The measures set out in paragraphs 1 and 2 shall help to define new monitoring activities, to be incorporated into the scheme after the approval of appropriate manuals. When developing the scheme, the Commission shall take account of scientific as well as financial needs and restrictions.
4. The detailed rules for the implementation of paragraphs 1,2 and 3 shall be laid down in accordance with the procedure referred to in Article 17 (2).

Article 7

1. For the realisation of the aims set out in Article 1 (d) and in addition to the actions set out in Article 6, the Commission shall conduct studies, experiments and demonstration projects in order to:
 - a) promote harmonised collection, handling and assessment of data at Community level;
 - b) improve data evaluation at Community level;
 - c) improve the quality of data and information gathered under the scheme.
2. The detailed rules for the implementation of paragraph 1 shall be laid down in accordance with the procedure referred to in Article 17 (2).

National Programmes, Co-ordination and Co-operation

Article 8

1. The activities provided for in the Articles 4 and 5 and Article 6 (2 and 3) shall be implemented under national programmes, to be drawn up by the Member States for periods of 3 years.
2. The national programmes shall be submitted to the Commission within 30 days following the entry into force of this Regulation and thereafter before 1 November in the year preceding the commencement date of each 3 year period.
3. Member States shall adapt their national programmes approved by the Commission, in particular in order to allow for the extension of the monitoring activity developed in accordance with Article 6.
4. The national programmes shall be accompanied by an ex-ante evaluation when they are submitted to the Commission. The Member States shall also carry out mid-term evaluations at the end of the third year of the period set out in Article 12 and ex-post evaluations at the end of that period.
5. The Commission shall, on the basis of the national programmes submitted, or on the basis of any approved adaptations of these national programmes, decide on the financial contributions to the eligible costs.
6. Detailed rules for the implementation of paragraphs 1 to 4 shall be laid down according to the procedure referred to in Article 17 (2).

Article 9

1. The Commission shall co-ordinate, monitor and develop the scheme and shall report on it.
2. The Commission shall assess data at Community level and shall ensure the evaluation of the collected data and information at Community level.

3. To fulfil the tasks laid down in paragraphs 1 and 2, the Commission shall establish a Scientific Co-ordination Body, which may be within the Joint Research Centre, which may be supported by decentralised thematic centres.

To fulfil its reporting tasks laid down in paragraph 1 the Commission shall be assisted by the European Environmental Agency.

4. The Commission may consult and contract research institutes and experts to develop the scheme and to ensure the evaluation of the data gathered, as well as the publication of results from data evaluations.

Article 10

1. To harmonise the activities referred to in Article 4 and 5 and Article 6(3) and to ensure the comparability of data, manuals shall specify mandatory parameters and lay down the monitoring methods as well as the data formats to be used for data transmission.
2. Detailed rules for the implementation of paragraph 1 shall be laid down according to the procedure referred to in Article 17 (2).

Article 11

1. The Commission shall co-operate, in particular with regard to the objectives set out in Article 1, with other bodies at an international or pan-European level to meet the Community's obligations for the protection and sustainable management of forests.
2. In the context of Article 4, the Commission shall collaborate with the International Co-operative Programme on Assessment and Monitoring of Air Pollution Effects on Forests, (hereinafter referred to as "ICP Forests"), to meet obligations set out in the framework of the Convention on Long-range Transboundary Air Pollution.
3. For the purposes of the co-operation referred to in paragraphs 1 and 2, the Community may support the following activities:
 - a) establishment of a scientific interface to the Scientific Co-ordination Body;
 - b) studies and data evaluations.

Period of Execution and Financial Aspects

Article 12

1. The scheme shall run for a period of 6 years from 1 January 2003 to 31 December 2008.
2. For the purposes of the scheme the maximum financial support of the Community to the eligible costs of the national programmes shall be as follows:
 - a) Activities to be realised under Article 4: 50%;

- b) Activities to be realised under Article 5: 50%;
 - c) Activities to be realised under Article 6(2) and (3): 50%.
3. The Commission shall pay the Community contribution to the eligible costs to the Member States.
 4. The Commission shall finance activities to be realised under Article 6(1), Article 7 and Article 9 (1, 2 and 4), in accordance with the applicable rules for public procurement.
 5. The Community may provide a contribution to the European Environmental Agency for the fulfilment of the tasks set out in Articles 9(3) and 18.
 6. The Community may provide a contribution to the ICP Forests in order to meet the Community's obligations set out in Article 11, paragraph 2.

Article 13

1. The financial resources for the implementation of the scheme for the period 2003-2006 shall be 52 million EURO. Thereafter, for the period 2007-2008, this annual amount of 13 million EURO may be increased, subject to an authorisation by the budgetary authority.
2. The financial resources fixed in paragraph 1 shall be increased in the case of accession of new Member States to the Union.
3. Annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspectives.

Execution, Reporting by Member States, Standing Forestry Committee

Article 14

1. Member States shall designate the bodies competent to manage the activities included in the approved national programmes, on the basis of the financial and operational capacity of those bodies. Those bodies can be either national administrations or other entities, subject to Commission's approval of private entities.
2. Member States shall designate one single authority or agency to co-ordinate the programme at national level, (hereinafter referred to as "National Focal Centre").
3. Member States shall be responsible for the sound and efficient management of the Community contribution. To that end, they shall adopt the provisions necessary to:
 - a) ensure that the activities financed by the Community are actually carried out and that they are carried out in the proper manner, ensuring the visibility of the contribution of the Community,
 - b) prevent any irregularity,

- c) recover payments lost as a result of any irregularity or negligence,
 - d) ensure that the bodies mentioned in paragraph 1 have proper internal management and control systems,
 - e) in the case that the bodies mentioned in paragraph 1 are not public entities, Member States stand guarantee for them.
4. Member States shall provide the Commission with all the necessary information and shall make any arrangements, which may facilitate checks, including on-the-spot inspections by the Commission or the European Court of Auditors, which the Commission considers appropriate for the purposes of managing Community financing. Member States shall inform the Commission of the arrangements made to this end.

Article 15

1. The Member States shall annually, through the National Focal Centres, forward to the Scientific Co-ordination Body the data gathered under the scheme, together with a data accompanying report.

The data shall be geo-referenced and transmitted to the Commission by means of computer telecommunications and/or electronic technology. The Commission shall establish the format and particulars needed for the transmission.

2. The Member States shall actively disseminate the data gathered according to common formats and standards and through electronic geo-referenced databases that are easily accessible to the public.
3. The Commission's right to use and disseminate the data gathered shall not be restricted in order to promote the evaluation of the data and to obtain the highest added value from the use of the data, in accordance with the Aarhus convention.
4. The detailed rules for the implementation of paragraph 1 shall be laid down in accordance with the procedure referred to in Article 17 (2).

Article 16

1. Each Member State shall draw up, in particular on the basis of the activities set out in Article 4(1), a report on the national situation regarding forest ecosystems conditions.

The report shall be transmitted to the Commission no later than 31 December every third year starting from 2005.

2. Each Member State participating in the activities set out in Article 5 (1) and (2) shall draw up a report on the national situation regarding the impacts of fires on forest ecosystems.

The report shall be transmitted to the Commission no later than 31 December each year, starting from 2003.

3. Each Member State shall draw up a report on the national situation regarding matters dealt with by monitoring activities referred to in Article 6(3).

The reporting period shall be laid down in accordance with the procedure referred to in Article 17 (2).

Article 17

1. The Standing Forestry Committee set up by Council Decision 89/367/EEC shall assist the Commission.
2. Where reference is made to the present paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
3. The period provided for in Article 4(3) of Decision 1999/468/EC shall be set at two months.

Reporting by the Commission, Review, Candidate Countries

Article 18

Six months from the date set for the transmission of the reports referred to in Article 16 (1) and taking into account all reports transmitted pursuant to Article 16, the Commission assisted by the European Environment Agency, shall submit a report on the implementation of the scheme to the European Parliament and the Council together with a review of the scheme (mid-term review).

Article 19

Before the expiry of the period referred to in Article 12 (1), the Commission shall submit to the European Parliament and to the Council a report on the implementation of the scheme, taking into account the review referred to in Article 18.

Article 20

This scheme shall be open to participation of:

- a) the candidate countries of Central and Eastern Europe (CEECs), in accordance with the conditions established in the Europe Agreements, in their additional protocols, and in the decisions of the respective Association Councils;
- b) Cyprus, Malta and Turkey on the basis of bilateral agreements to be concluded with these countries.

Article 21

This regulation shall enter into force on the third day after its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 2003.

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

ANNEX

LEGISLATIVE FINANCIAL STATEMENT

Policy area(s): Environment

Activit(y/ies): Natural Resources and Biodiversity – Forests

Title of action: Monitoring Forest and Environmental Interactions - FOREST FOCUS

1. BUDGET LINE(S) + HEADING(S)

B4-303: Protection des Forets

2. OVERALL FIGURES

2.1. Total allocation for action (Part B): 90 € million for commitment

2.2. Period of application:

(2003 - 2008)

2.3. Overall multiannual estimate of expenditure:

(a) Schedule of commitment appropriations/payment appropriations (financial intervention) (*see point 6.1.1*)

€ million (*to three decimal places*)

	Year [n]	[n+1]	[n+2]	[n+3]	[n+4]	[n+5 and subs. Years]	Total
Commitments	9.90	10.80	10.40	10.70	10.61	10.59	63.0
Payments	8.00	8.50	9.50	10.50	11.50	15.00	63.0

(b) Technical and administrative assistance and support expenditure (*see point 6.1.2*)

CE/CP	3.10	2.20	2.60	2.30	2.39	2.41	15.00
-------	------	------	------	------	------	------	-------

Subtotal a+b							
Commitments	13.00	13.00	13.00	13.00	13.00	13.00	78.00
Payments	11.10	10.70	12.10	12.80	13.89	17.41	78.00

- (c) Overall financial impact of human resources and other administrative expenditure
(see points 7.2 and 7.3)

Commitments	0.677	0.677	0.677	0.677	0.677	0.677	4.063
-------------	-------	-------	-------	-------	-------	-------	-------

TOTAL a+b+c							82.063
Commitments	13.677	13.677	13.677	13.677	13.677	13.677	82.063
Payments	11.777	11.377	12.777	13.477	14.567	18.087	82.063

2.4. Compatibility with financial programming and financial perspective

Proposal is compatible with existing financial programming.

Proposal will entail reprogramming of the relevant heading in the financial perspective.

Proposal may require application of the provisions of the Interinstitutional Agreement.

The proposal exceeds the financial programming Period of 2000-2006 for which the scheme's financial resources have been fixed. Attention has been given to account for the budgetary allocations for the period 2003-2006, so as not to exceed the foreseen allocation of 13 million EURO per year. Thereafter, DG Environment based on the mid-term review and evaluation of the application period 2003-2005, will make a proposal for increasing the present allocated annual amount, in order the scheme to assume its full monitoring activity and coverage of the additional fields indicated. DG - Environment will take this point up again in the negotiations with the budgetary authority for the Community Budget after 2006. The additional financial resources necessary will be estimated based on the results of the mid-term review of the scheme and will be subject to negotiations and final approval by the budgetary authority.

2.5. Financial impact on revenue:

Proposal has no financial implications (involves technical aspects regarding implementation of a measure)

OR

Proposal has financial impact – the effect on revenue is as follows:

(NB All details and observations relating to the method of calculating the effect on revenue should be shown in a separate annex.)

(€ million to one decimal place)

		Prior to action [Year n-1]	Situation following action					
Budget line	Revenue		[Year n]	[n+1]	[n+2]	[n+3]	[n+4]	[n+5]
	<i>a) Revenue in absolute terms</i>							
	<i>b) Change in revenue Δ</i>							

(Please specify each budget line involved, adding the appropriate number of rows to the table if there is an effect on more than one budget line.)

3. BUDGET CHARACTERISTICS

Type of expenditure		New	EFTA contribution	Contributions to applicant countries	Heading in financial perspective
Non-comp	Diff.	NO	NO	NO	3 Internal Policies

4. LEGAL BASIS

Legal Base Article 175 (Until 2002 the expenditures have been justified jointly on Articles 33 and 175. From 2003 onwards the Legal Base is solely Article 175).

5. DESCRIPTION AND GROUNDS

5.1. Need for Community intervention

5.1.1. Objectives pursued

Forests ecosystems are an important part of Europe's territory covering today more than 44% of the Union's land (a percentage, estimated to increase with the enlargement). Forests can play the role of an indicator of environmental quality. Forest ecosystems are diverse and host considerable biodiversity. The 6th EAP gives a priority role to forests in the context of actions prescribed in relation to the Nature and Biodiversity Chapter, one of the four key priority areas of the 6th EAP.

The need to protect forest ecosystems and to monitor their health has been recognised in the past. Since 1986, when DG Agriculture launched its first action, the established monitoring activity has, and continues, to collect valuable data on forest condition, in respect to atmospheric pollution and other human and natural induced stresses. Since 1992, another action was providing valuable information on forest fires, their monitoring being extremely important for the Mediterranean members of the Union. These measures have resulted in the

collection of data on a common grid for the Union, which are being used for the development of other work (by the JRC, the EEA, Member States and research institutes).

The new activities that will be developed in the context of this new Regulation proposal prepared by Dg Environment, will cover both of the existing activities carried out in the past, i.e. monitoring the effects of atmospheric pollution on forests and monitoring forest fires. But there is the intention to extend the existing monitoring activity, so as to collect information needed for other key environmental policy areas. As such the new monitoring activity to be supported from 2003 onwards will address gradually concerns relating to soils, biodiversity, climate change and carbon sequestration, broadening the scope of the scheme. The proposed monitoring scheme will:

- Monitor the effects of natural and human induced stresses on the forest ecosystems.
- Raise awareness on the Condition of European Forests.
- Monitor forest resources in the context of sustainable development (biodiversity, carbon sequestration, climate change, soils)

Within the 6th Environment Action Programme, there is a provision to continue this monitoring exercise; there is a need to fully develop the potential of forests as carbon sinks and a need to monitor biodiversity and to develop an EU soil strategy.

The main objective of the EU scheme will be to monitor European Forest Ecosystems Condition and to protect Union's forests against harmful influences. Political decisions on specific action must be based on reliable information on the state and the development of forest conditions and on factors affecting forest ecosystems. For that reason an EU scheme shall be established under a new framework regulation. It will provide data and information to allow a risk assessment on forest ecosystem condition. Single factors, but in particular the combination of different stress factors can severally damage or destroy forest ecosystems. Information on the trends in forest condition that can be available at an early stage can help to develop appropriate measures to improve forest conditions or to eliminate the stress factors causing damages. Departing from the basic objective indicated above, a set of objectives corresponding to the particular monitoring exercises can be defined. These are presented in the following table:

Objective 1	To provide information on the spatial and temporal variation in forest ecosystem condition, in relation to anthropogenic as well as natural stress factors, for the different eco-regions of the European Union.
Objective 2	To provide information on forest fires and causes of forest fires in the Union and develop models for forest fire prediction and prevention based on the condition of the forest ecosystem.
Objective 3	To provide quality information that provides a sound basis for political decisions on abating factors affecting the forest ecosystem condition and to devise methods of maintaining and restoring damaged forest ecosystems.

Objective 4	To fulfil obligations that already have been taken up by the Union (e.g. Convention on Long-range Transboundary Air Pollution, Convention on Biodiversity), to support pan-European and international discussions (e.g. Ministerial Conference on the Protection of Forests) and to respond to requirements that will evolve in the future (EU Soil Strategy, Clean air for Europe – CAFE, etc).
--------------------	--

The execution of activities envisaged in the scheme will lead to the collection of information on the Forests Ecosystems Condition. This data collection will continue the development of the existing for 16 years database containing the results of forest ecosystems observations and will support the further development of useful time series of forest data. This information is the basis of a **Report on Forest Condition in Europe** (published up to now annually) and of several other editions that have as a purpose to raise awareness of politicians, scientists and public. The data of the activities from the previous monitoring activity has been used for the development of indicators on the conditions of forest ecosystems and on risks from air pollution. The broader scope of the new scheme will add to this deliverables, indicators on forest biodiversity and soils, as well as impacts from climate change.

The reporting activity on the forest condition and forest fires will be continued in the future. The European Environmental Agency (EEA) will assist the Commission in these reporting exercises. Efforts will be made to incorporate elements of this reporting to the work of the European Environmental Agency (EEA) on general environmental reporting. The dissemination of these results is envisaged to be broader than in the past, carrying a distinct identification as an EU product, with publications aimed at different audiences, like researchers, stakeholders, policy makers and public.

The proposed scheme will establish data platforms in the Member States and in the Scientific Co-ordination Body, aiming to disseminate results easily and quicker. These data platforms will be connected to other databases containing environmental information and will further facilitate the integration of the forest ecosystems data into other information systems and vice versa. The whole scheme will facilitate the exchange of information on environmental issues in order to assist researchers and other interested in the information stakeholders and to raise awareness on the Condition of Forests Ecosystems.

5.1.2. Measures taken in connection with ex ante evaluation

The proposal has not been based on an ex-ante evaluation, as the proposed scheme is a continuation of the monitoring activity in forests carried out by DG Agriculture during the period 1986-2002. DG Agriculture has contacted studies on the results of the monitoring activity and has recently prepared a report on the implementation of the monitoring activity, which at the time is about to be sent to the European Council and Parliament. DG Environment has based its proposal on the experience gained throughout the 16 years Monitoring activity of European Forest and on proposals for the improvement of the monitoring of atmospheric pollution effects on forests, which has been the outcome of an expert group assessment of the monitoring activity.

5.1.3. Measures taken following ex post evaluation

The proposal has taken on board the results from an independent review of the monitoring activity. Following the results of this review, the new proposal creates a centralised co-ordination by a Scientific Co-ordination Body and asks for continuous monitoring of activities carried out by the scheme. The new organisational structure shall help to further improve the

efficiency of the scheme. The scheme's activities transparency and its cost efficiency will be further enhanced by the introduction of obligation on the Member States to carry out ex-ante, midterm and ex-post reviews of their National Programmes. The Commission will also carry out a midterm review of the scheme, followed by an evaluation at the end of the execution period. DG Environment has built in the Regulation elements that ask the member states to submit programmes that will contain an ex-ante evaluation and will provide post evaluations of the implementation of the scheme. Also during the mid-mid-term review of the scheme, DG Environment assisted by JRC and scientific experts will examine the efficiency of the monitoring activity and make suggestions for possible improvements and a proposal for the continuation of the scheme.

5.2. Action envisaged and budget intervention arrangements

Activities Foreseen	Target Population	Means of intervention
<ul style="list-style-type: none"> • Activities to continue and further develop the systematic network of observation points (Level I plots) to conduct periodic inventories on information of the forest ecosystem conditions (see table below) • Activities to continue and further develop a network of permanent observation plots (Level II plots) providing intensive and continuous surveillance of the forest ecosystems for enhancing the knowledge of processes affecting forest ecosystem conditions (see table below) • Continue and develop a forest fire information system in order to collect a set of information on forest fires comparable at Union level. • Conduct studies and pilot projects that will permit the further development of the monitoring scheme in the future • Promote evaluations of the information and data gathered and examine periodically the need to review the monitoring manuals • Harmonise the data collected and develop a platform for exchanging this data with Member States, the Commission Services, the scientific community and other interested stakeholders • Organise meetings, workshops and expert groups that will promote <ul style="list-style-type: none"> - Exchange of information with stakeholders and policy makers - Dissemination of results - Exchange of Knowledge 	<p>The beneficiaries of support will be:</p> <ul style="list-style-type: none"> • Member States through support of their multi-annual programmes that will apply the scheme • Laboratories or consortium/networks of Laboratories and Research Institutes, Universities, etc, that will be responsible for the co-ordination of key monitoring modules activity. • The JRC as facilitator of the Scientific Co-ordination Body that will provide for central data handling. • ICP Forests for the provision of data from Non-EU countries that participate in the reporting activity of the monitoring scheme. • Stakeholders, (Community networks, NGO's and other actors working in forestry) for communication of the results. 	<p>Grants, service contracts, and study contracts for:</p> <ul style="list-style-type: none"> • reports, analytical reviews, testing and support functions • consolidation, co-ordination, use and dissemination and further development of the monitoring scheme • testing and standardise the information gathered and compile it for input to Environmental Indicators. • Co-operation, and enhancement of dialogue between networks and other players concerned. • Support for establishment of a partnership with ICP Forest, which brings in the information collected by non-EU countries. • Allow, from the accession date and beyond the integration of accession countries to the monitoring scheme

5.3. Methods of implementation

Member States, who will submit to the Commission for approval and co-finance National Forest Monitoring Programmes, will implement the monitoring activity. The programmes will include monitoring activity, data handling, studies for data harmonisation and improvement of collection methods. The regulation will also finance the creation of data platforms in the Scientific Co-ordination Body and in Member States for the better storage and facilitation of exchange of data and reports and information deriving from the monitoring activity. Member States will present multi-annual programs of 3-year duration, thus 2 programs will be submitted per Member State during the implementation period of this regulation. The regulation foresees the possibility for changes and reviews on the programs if this is required. Apart from member states, the Joint Research Centre and the European Environmental Agency will play a role in scientific co-ordination of the monitoring activity and in reporting.

The scheme will implement in the first instance the atmospheric pollution monitoring activity and the forest fire monitoring, while remaining resources will finance pilot projects and studies that will test methods in order to develop future monitoring activity in the fields of biodiversity, soils, carbon sequestration and climate change. Regular reporting will be facilitated, as well as the publication of other deliverables, fact sheets, indicator sheets, implementation manuals and other material. Accompanying studies will provide for the creation of models that describe the forest ecosystems and their functions and will give answers to policy questions about their condition and the protection of forests.

6. FINANCIAL IMPACT

6.1. Total financial impact on Part B - (over the entire programming period)

(The method of calculating the total amounts set out in the table below must be explained by the breakdown in Table 6.2)

6.1.1. Financial intervention

Commitments (in € million to three decimal places)

Breakdown	[Year n]	[n+1]	[n+2]	[n+3]	[n+4]	[n+5 and subs. Years]	Total
Action 1 Financial support to the eligible costs of data collection, data evaluation, data files creation on the basis of submitted National Programmes of Member States	6.5	6.5	6.5	6.5	6.5	6.5	39.0
Action 2 Financial support to Member States to present harmonised data on forest fires in the requested format	0.5	0.5	0.5	0.5	0.8	0.5	3.3

Action 3 Financial support to Member States for harmonisation studies (methods, data, etc.)	0.9	0.9	0.9	0.9	1.15	1.15	5.9
Action 4 Financial support to Member States for studies on forest fires and their impacts on biodiversity, soil erosion, etc.	0.8	0.8	0.8	0.8	0.8	0.8	4.8
Action 5 Pilot projects, demonstration projects and method studies that will further develop the monitoring scheme, so as to include biodiversity, soils, climate change, carbon sequestration, etc.	1.2	2.1	1.2	2.0	1.36	1.14	9.0
Action 6 Introduction of pilot survey for new monitoring activity - Co-finance Member States updated national programs (action to be carried out if necessary financial resources will be made available after 2006)							
Action 7 Review of the Monitoring activity - Evaluation			0.5			0.5	1.0
TOTAL	9.90	10.80	10.40	10.70	10.61	10.59	63.0

6.1.2. *Technical and administrative assistance, support expenditure and IT expenditure (commitment appropriations)*

	[Year n]	[n+1]	[n+2]	[n+3]	[n+4]	[n+5 and subs. years]	Total
1) technical and administrative assistance							
a) Technical assistance offices	-	-	-	-	-	-	-
b) Other technical and administrative assistance: - intra muros: - extra muros: <i>of which for construction and maintenance of computerised management systems</i>	2.28 1.4	0.73	0.73	0.93 0.2	0.73	0.73	6.13 1.0
Subtotal 1	2.28	0.73	0.73	0.93	0.73	0.73	6.13

2) Support expenditure							
a) Studies from experts for new monitoring activities	0.25	0.75	0.75	0.75	1	0.5	4.0
b) Meetings of expert groups	0.33	0.33	0.33	0.33	0.32	0.31	1.95
c) Printing Reports and other Information and publication	0.1	0.1	0.1	0.1	0.1	0.1	0.6
d) Support of Reporting activity (2 periodic reports from the EEA and annual report for forest fires)	0.02	0.07	0.57	0.07	0.12	0.65	1.50
e) Acquisition of data (satellite data, etc)	0.1	0.2	0.1	0.1	0.1	0.1	0.7
f) Contribution to ICP-Forests	0.02	0.02	0.02	0.02	0.02	0.02	0.12
Subtotal 2	0.815	1.465	1.865	1.365	1.665	1.695	8.870
TOTAL	3.10	2.20	2.60	2.30	2.39	2.40	15.00

6.2. Calculation of costs by measure envisaged in Part B (over the entire programming period)

Commitments (in € million to three decimal places)

Breakdown	Type of outputs (projects, files)	Number of outputs (total for years 1...n)	Average unit cost	Total cost (total for years 1...n)
	1	2	3	4=(2X3)
<u>Action 1 National Programmes</u>	National Programmes	<i>2 per MS = 30 National programs</i>	1.3	39.0
<u>Action 2 Forest Fire Information System</u>	National Programmes	<i>2 per MS - 6 MS participate = 12 programs</i>	0.275	3.3
<u>Action 3 Studies for harmonisation</u>	Studies, Projects	<i>10</i>	0.54	5.4
<u>Action 4 Forest Fire Studies</u>	Studies, Projects	<i>20</i>	0.24	4.8
<u>Action 5 Pilot projects and Demonstration studies - new monitoring modules</u>	Studies, Projects	<i>30 project/ studies</i>	0.3333	9.0
<u>Action 6 Pilot survey for new monitoring activity</u>	National Programmes	<i>1 per MS = 15 programs</i>		Under examination
<u>Action 7 Evaluation - Review of the monitoring scheme</u>	Study	<i>2</i>	0.5	1.0
TOTAL COST				63.0

7. IMPACT ON STAFF AND ADMINISTRATIVE EXPENDITURE

7.1. Impact on human resources

Types of post		Staff to be assigned to management of the action using existing and/or additional resources		Total	Description of tasks deriving from the action
		Number of permanent posts	Number of temporary posts		
Officials or temporary staff	A	2			<i>If necessary, a fuller description of the tasks may be annexed.</i>
	B	1			
	C	1			
Other human resources		2			Detached National Experts (END)
Total		4 + 2			

7.2. Overall financial impact of human resources

Type of human resources	Amount (€)	Method of calculation *
Officials	432.000	108.000 * 4
Temporary staff		
Other human resources (specify budget line)	216.000	108.000 * 2
Total	648.000	

The amounts are total expenditure for twelve months.

7.3. Other administrative expenditure deriving from the action

Budget line (number and heading)	Amount €	Method of calculation
Overall allocation (Title A7)		3* 15 * 650
A0701 – Missions	29.250	
A07030 – Meetings		
A07031 – Compulsory committees ¹		
A07032 – Non-compulsory committees ¹		
A07040 – Conferences		
A0705 – Studies and consultations		
Other expenditure (specify)		
Information systems (A-5001/A-4300)		
Other expenditure - Part A (specify)		
Total	29.250	

The amounts are total expenditure for twelve months.

¹ Specify the type of committee and the group to which it belongs.

I.	Annual total (7.2 + 7.3)	677.250 €
II.	Duration of action	6 years
III.	Total cost of action (I x II)	4.063.500 €

A recent agreement between DGs Agriculture, Environment and Enterprise transfers the responsibility for the provisions included in these regulations from DG Agriculture to DG Environment, as from 2003. Under this agreement, 3 permanent posts (1A, 1B and 1C) plus one END will be transferred from DG- Agriculture to DG-Environment for the management of the Regulation and the forest monitoring activity (see for that the information documents delivered during the discussion of the PDB). Supplementary to these resources another A post and an END will service the exercise. These elements have been indicated in the documents, which support the preliminary draft budget (PDB).

It has to be noted that the proposed regulation takes on board the future accession, mentioning that the provisions available to the current Member States will be available to the accession countries from the date of accession. To account for these, as well as additional personnel resources that will be needed, there will be a follow-up with possibly some modifications or provisional arrangements through an implementing regulation.

8. FOLLOW-UP AND EVALUATION

8.1. Follow-up arrangements

Member States will be requested to submit proposals for their national programmes, possibly by the end of 2002 (permitted that the discussion of the regulation in the Council and the EP under the co-decision procedure will be quick). Member States will be requested to provide multi-annual monitoring programmes (suggested for a period of 3 years), which could be subject to periodic reviews. It is thus expected that programmes will be submitted for the period 2003-2005 and for the period 2006-2008. The submission of the Member States national programmes for the last period should take on-board conclusions and any recommendations from the evaluation of the monitoring activity scheduled for the period end 2005 - June 2006.

Member states will have to submit annual reports on the implementation of the monitoring program and their monitoring activity. Co-financed projects/studies and demonstration projects will be monitored and followed by desk officers in the domain who will verify that the activities proposed have been properly carried out. Beneficiaries of co-financed projects/studies and demonstration projects will be required to submit progress reports every six months, an interim report and a final report within six months of completion of any project/study of the above type. The Standing Forestry Committee will assist the Commission in the implementation of the regulation.

8.2. Arrangements and schedule for the planned evaluation

The Commission will assess the implementation of this framework forest monitoring scheme and submit a progress report to the European Parliament and Council on a three-year basis. This report will evaluate the efficiency of the scheme, summarise achievements and indicate future directions for furthering the development of the scheme. The first review-report is foreseen for the end June 2006, and will provide for the first 3 years of the monitoring activity (2003-2005). Another ex-post review will be carried out with the end of the 6-year period of implementation of the scheme, assessing the Member States national reports that will be submitted. This review will provide elements for the revision of the Regulation and for the new proposal that will be submitted in 2009 for continuing the forest monitoring activity.

9. ANTI-FRAUD MEASURES

The Member States will appoint the entity (authority, agency or institute) responsible for the execution of the activities foreseen in this framework Regulation. The payments of the Community's contributions towards the eligible costs will be made to the Member State or to the entity responsible. Public procurement rules will be applicable for the contracts of institutes, agencies or consultants that will execute activity included in a Member State National Program. Potential beneficiaries in the Member States should be required to provide provisional statements of income and expenditure related to the project for which funding is requested. Contracts will be paid on the basis of the terms and conditions relating to the contract and on the basis of expenditure and income statements duly certified by the beneficiary and checked by the relevant service of the Commission. On the spot controls are also foreseen. Beneficiaries are required to keep all details and justifying documents for a period of 5 years following final payment.

Details of anti-fraud measures are set down and included in all contracts (controls, production of reports and statements, justifying documentation etc.). Provisions for the recuperation of unduly received sums should also be included in the contracts together with the terms for charging penalty interest on such sums where applicable. Member States remain responsible for the recovery of payments associated with bad practice and fraud in the execution of their National Programmes for Forests monitoring.

The Commission will be responsible for carrying out its own studies, experiments or demonstration projects as well as evaluation studies of the monitoring scheme. The Commission will follow for that the rules of public procurement. The contracts will be signed with the appropriate entities indicated after a success in a call of tender. Contracts will be paid on the basis of the terms and conditions relating to the contract and on the basis of expenditure and income statements duly certified by the beneficiary and checked by the relevant service of the Commission. The Commission has the responsibility to recover amounts resulting from fraud or irregularity or bad execution of its own contracts. Beneficiaries will be required to keep all details and justifying documents for a period of 5 years following final payment.

In order to prevent risk of fraud or irregularity, the Commission shall record in the financial statement any information regarding existing and planned fraud prevention and protection measures.