REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

Actions to Streamline Environmental Reporting

{SWD(2017) 230 final}

1. INTRODUCTION AND BACKGROUND

We all want to know if the air we breathe and the water we drink are healthy or if our beaches and lakes are clean. The European public has a right to know about the quality of the local natural environment and whether EU actions deliver improvements.

Knowing this means managing information flows. Information at the European level usually starts locally: **environmental monitoring** of air pollution, the state of nature, water quality, etc. is all about seeing what is happening to the environment 'on the ground.' Some of this information is then **reported** to the EU level and to the public. At European level it is used for **regulatory monitoring** to check if the regulation is effectively meeting its objectives.

Some environmental reports are very popular. The annual EU bathing water report attracts attention from around Europe, with the online information provided by the European Environment Agency (EEA) accessed over 73 000 times in 2016. Some other reports published by the Commission remain largely unnoticed by the wider public yet fulfil an important purpose for regulatory monitoring of the application of EU law.

Reporting on policies and the environment provides essential facts and information for informed decision-making. Indeed, reporting is key to the cycle of analysis, dialogue and collaboration that takes place for the environment implementation review[1].

But reporting leads to costs for Member States and businesses so there is an equilibrium that needs to be managed between the demand for better information and the cost of providing it. That is why the May 2015 better regulation package[2] launched a broad review of reporting requirements, including for the environment, in the form of a fitness check focused on reporting and regulatory monitoring[3].

This Report presents the resulting action plan to ensure that EU environmental law is delivering its intended effects on the ground. The purpose is to better inform the European public about these achievements and at the same time simplify the reporting burden for national administrations and businesses.

2. FINDINGS OF THE FITNESS CHECK

The challenge of this fitness check was to balance two aspects. On the one hand, it meant stepping back to see the bigger picture and learning across reporting streams. On the other hand, it was an exercise in looking at the details of the different reporting streams and the operational challenges they pose and learning from this. Whilst the aim was to be as ambitious as possible, it was also crucial to make it manageable. Key issues of scope were as follows:

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[1] COM(2017) 63

[2] 'Better regulation for better results — An EU agenda (COM(2015) 215)

[3] This review does not include reporting in the field of climate change. Indeed, in the climate and energy policy areas,, the Commission has already proposed a simplification of planning, reporting and monitoring obligations: see "Proposal for a Regulation of the European Parliament and of the Council on the Governance of the Energy Union" COM(2016) 759. More generally, links between environmental reporting and reporting in other areas (energy, climate, agriculture, maritime etc.) are considered under coherence below.

- 'Reporting obligations' means the legal provisions requiring data, information or reports to be submitted to the Commission or the EEA. This reporting was mainly to enable the Commission to monitor the application of EU law in the Member States. Thus, the fitness check covers what is termed 'regulatory monitoring' but not environmental monitoring 'on the ground' in the widest sense.

- In addition to looking at reporting to the EU level, the fitness check also considered how this information is disseminated afterwards.

- Not all reporting obligations examined in the fitness check are directly covered in directives or regulations. Many are specified through delegated or implementing acts or through guidelines or informal agreements.

Twenty evaluation questions were posed, essentially asking if the right information is being made available at the right time, in the right way and at as low a cost as possible. Interested groups were consulted online and through regular workshops. Environmental policy has 181 reporting obligations found in 58 pieces of EU environmental legislation. They require numerical and geospatial information but most are in text format — the hardest to report, structure and analyse. Frequency varies. Around half are every two or more years, and around half lead to a Commission report to the other EU institutions. Processes also vary but seem to work best when the EEA processes the data. In summary, the evaluation found that:

- **Effectiveness** has improved significantly over the years and is considered satisfactory overall. Nevertheless, there is room for improvement for some cross-cutting issues (such as streamlining for a more common process) and for specific pieces of legislation.

- Reporting is largely **efficient** and the administrative burden (estimated cost of EUR 22 million annually) is moderate, justified and proportionate. The benefits, such as improved and more targeted implementation and better public information, greatly outweigh the costs. Some efficiency gains could be delivered by streamlining the process in a more horizontal and strategic manner. Some adjustments in content, timing, frequency and process could also lead to efficiency gains, but some of these changes would require amendment of the legislation concerned.

- **Coherence** is achieved to a large extent between the reporting obligations in EU policy areas like agriculture, climate, energy, marine policy etc. But it is worth considering whether the coherence between some of these different areas, as well as with obligations stemming from international commitments could be improved.

- Most reporting obligations are **relevant,** but there is room for improvement (e.g. advanced technical solutions) and alternative approaches (e.g. harvesting of national data). In particular, the content of environmental reporting could be focused more on information that is strategic, quantitative and better regulation-driven (e.g. by using key indicators). This would reduce the amount of textual information currently requested.

- There is **EU added value,** because current reporting delivers clear benefits in the form of comparable and consistent information not available at national level. However, alternative approaches such as active dissemination of relevant environmental information at national level may in the long run make reporting to the EU level less necessary.

Table 1: Overview of findings (for more details, see SWD(2017) 230). The percentage is related either to the 58 pieces of legislation or the 181 reporting obligations analysed, depending on the available data.

Issue	Percentage
Amendment of legislation already proposed by the Commission which streamlines reporting (linked to legislation)	16 %
Reporting issues were identified which may require legislative amendments (linked to legislation)	12 %
Reporting which includes best practice examples (linked to legislation)	19 %
Reporting which is considered of high usefulness (linked to reporting obligations)	39 %
Reporting which is considered of low usefulness (linked to reporting obligations)	9 %
Reporting where the use of indicators could be improved (linked to legislation, based on screening analysis)	86 %
Reporting which relies mainly on textual information (linked to reporting obligations)	76 %
Reporting where external coherence could be improved (linked to legislation, based on stakeholder feedback)	29 %
Reporting where the delays are significant (linked to 78 reporting obligations which are linked to Commission reports)	27 %

The evidence leads to the conclusion that most reporting obligations are largely fit-for-purpose. Moreover, solid progress has also been made in the recent past in many areas (see section 3).

Problems that need to be tackled further include to:

- ensure that all reporting obligations include the key indicators needed to assess compliance and understand performance in delivering objectives;

- reduce textual reporting requirements and promote good IT practices such as common open source standards;

- promote good practices for active dissemination;

- further align timing and frequency for reporting obligations to correspond to major policy cycle needs;

- harmonise and centralise (some) aspects of processes to make them more effective and efficient; and

- make better use of data from EU sources (such as Copernicus[4]) or directly from the public (e.g. in the context of citizen science[5]).

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[4]   www.copernicus.eu

Overall, modernising and streamlining is possible through applying best practice more consistently as part of a more common approach. Doing so would strengthen the evidence base for environmental policy and also make the process simpler and more reliable.

3. MAKING PROGRESS

The Commission has long been working with the Member States to streamline environmental reporting[6]. Most recently, the Commission already set in motion a number of changes, partially inspired by this fitness check. These include the changes in the Commission proposals on waste legislation[7] or the repeal of the Standardised Reporting Directive[8], which will result in real benefits over the years to come. Indeed, changes have occurred or are under way in all the main environmental policy areas such as air, water and nature (see table 1 of SWD(2017) 230 for an overview). These changes show the potential to cut costs and improve the quality of information at the same time.

Evaluations of environmental legislation under the regulatory fitness and performance programme (REFIT) are looking at environmental reporting and monitoring issues systematically. These evaluations are a main driver for change, where it is needed. This is the case, for example, with the evaluation of the INSPIRE Directive[9].

Progress has been made not just in what is reported but also in how it is reported. Information technology and tools have made the reporting process much easier and quicker are being used more widely. Finally, the Commission has also been exploring different ideas and approaches such as improving active dissemination.

4. A ROADMAP FOR ACTION

While the fitness check found environmental reporting to be largely fit-for-purpose, it also identified issues that need to be tackled (see section 2). These will be addressed by taking action in five areas. This means:

1. getting the right information in the right form at the right time;

2. streamlining the reporting process;

3. promoting active dissemination of environmental information at European and national level;

4. exploiting other data sources and alternative approaches complementing environmental reporting; and

5. improving coherence and cooperation.

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[5] Citizen Science is a growing worldwide phenomenon which describes the contribution of citizens to generate scientific information and knowledge (see "*Environmental Citizen Science"*, 2013).

[6] SWD(2016) 188

[7] COM(2016) 789 and COM(2016) 793

[8] COM(2015) 593 - 596

[9] The INSPIRE Directive creates an EU spatial data infrastructure for the purposes of environmental policies and related policies with an impact on environment (COM(2016) 478 and SWD(2016) 273).

These actions reflect the need to have a common approach to reporting. This means moving from a system where reporting develops in parallel in several different environmental policy fields to a more standardised approach where best practice is adopted across policy fields.

To this end, the Commission will reinforce the capacity of the European Environment Agency (EEA) to assist in delivering on such an approach building on the experiences, tools and processes already established at the Agency. The Commission will transfer budget from the LIFE Programme (approximately EUR 3.1 million over a three years pilot phase) and thereby enable the EEA to lead on the implementation of the action to modernise eReporting (see action 3 below) and help deliver on several others as indicated below[10]. This will complement the ongoing support regarding reporting and agreed future tasks (e.g. in relation to energy and climate policy) and improvements (e.g. in relation to Reportnet 2.0) as set out in the EEA's Multi-Annual and Annual Work Programme. The outcome of this pilot phase will then be taken into account in the follow up to the Commission-led EEA-EIONET evaluation and considerations towards the EEA Regulation[11].

The result should be better quality information that is provided more easily and is more widely used. This will benefit everybody involved or interested in environmental reporting. Administrations will benefit through reduced administrative burden. The burden for business will be reduced if Member State administrations pass on the efficiency gains where businesses are involved in reporting and regulatory monitoring. Policy makers will have better quality information for policy development. Last but not least, the European public, businesses and administrations will have better access to better environmental information.

4.1. Getting the right information in the right form at the right time

The fitness check found that the existing reporting process for the environment is largely delivering but that some specific improvements could be made. Some of these improvements, such as the alignment of timing, can only be made by amending legislation. Other changes do not require any legislative amendments but may be detailed in nature.

Action 1: Legislative amendments to reporting obligations defined in selected pieces of legislation

Timing: Timing set for different pieces of legislation in line with the need to make Commission proposal(s)

In addition to the actions already outlined in section 3, this action will look at the findings on the need to amend individual pieces of legislation[12]. Based on a more detailed analysis of these issues, the Commission will propose legislative amendments which could address, for example:

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[10] See Actions 2, 5, 7, 8, 9, & 10

[11] EEA Regulation (EC) No 401/2009

[12] Annex 8 of the fitness check evaluation (SWD(2017) 230) sets out indications on issues to be tackled for each piece of legislation on the use of textual information, indicators, usefulness, delays, coherence and format.

- the alignment of timing/frequency of reporting, where relevant; and

- the elimination of redundant or other reporting obligations which are no longer useful.

To ensure a systematic and comparable approach, the Commission will complement the approach advocated by the better regulation guidelines and introduce, as far as possible, standard provisions for environmental reporting obligations.

Action 2: Assess and change reporting obligations in more detail as part of a rolling programme

Timing: rolling work programme

To ensure a systematic and comparable approach, the Commission will also implement the approach to environmental reporting outlined in this Report when evaluating existing EU environmental law and designing new legislative proposals (e.g. by streamlining the reporting process or by improving the provisions on public information).

This more common, scientific approach will be introduced through a commitment to examine reporting in more detail in all upcoming evaluations and proposals[13]. This takes advantage of the regular reviews and evaluations that enable the Commission, in cooperation with the EEA and the EU Member States[14], to review every few years the information requested through reporting. At the same time, the Commission is able to consider how well the legislation is working more generally. In this context, the review will look systematically at the following possibilities:

- using key indicators more widely and structuring information on the most important implementation questions by referring to the DPSIR[15] framework and the better regulation guidelines on regulatory monitoring;

- aligning such key indicators where possible with the wider policy needs of the Sustainable Ddevelopment Goals (SDGs), the 7th environment action programme (7EAP) and the Environment Implementation Review (EIR) to ensure a joined-up approach;

- reducing the need to provide textual and contextual information or using closed questions more often with pre-defined, prompted possible answers where appropriate;

- using information publicly available at national level rather than requesting the information again from the Member States or businesses.

The rolling programme will also look at the purpose of, and needs for reporting and the use of the reported information. Moreover, relevant reporting obligations will be reviewed so that they are in line with INSPIRE data specifications or, where more effective, so that the data specifications are adapted to ensure consistency with the

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[13] *Idem.*

[14] Expert groups on reporting exist under most of the identified legislative areas and/or the EEA EIONET framework which will be used to implement this rolling work programme.

[15] D: driving forces, P: pressures, S: state, I: impact, R: response.

reporting obligations. The aim is to maximise the benefits from moving towards data interoperability without generating unnecessary costs.

The 'Drafting principles for smarter environmental reporting' developed by the 'Make IT Work' initiative[16] will be taken into account in this review process.

4.2. Streamlining the reporting process

Building on the investment already made in the reporting process, more can be done to make full use of the ongoing advances in information technology tools including the standardisation of practices and procedures.

Action 3: Modernise eReporting including through a more advanced Reportnet and by making best use of the existing infrastructure

Timing: Reportnet 2.0 to be launched in 2019, gradually expanding its capabilities and performance once launched

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To promote and modernise eReporting with the latest IT solutions, the EEA initiated a project called 'Reportnet 2.0'. Reportnet is the EEA's infrastructure for supporting and improving data and information flows and is also used by some Commission departments for their reporting processes. It was designed for an earlier generation of EU environment policy and is currently under great strain due to the volume of data now being reported.

The Commission will support the overhaul of this reporting infrastructure to establish it as the central and streamlined EU tool for environmental (and possibly other) reporting beyond the current ambition level of Reportnet 2.0 (which is mainly aimed at improving capacity and security). Reportnet will also have to respond to the ambition levels set out in the EU's Digital Single Market agenda, in particular those laid down in the eGovernment action plan[17] and the European Interoperability Framework[18]. The Commission will also explore the potential of Reportnet using cloud services and see if there are synergies with the implementation of the proposed Energy Union governance Regulation[19]. The Commission will consider lessons learned from the Shared Environmental Information Systems (SEIS)[20] initiative and build on the achievements and experiences of the sectorial information systems such as the Water or Biodiversity Information Systems for Europe.

In this context, the Commission will promote the consistent and realistic application of the INSPIRE rules. The INSPIRE REFIT evaluation[21] demonstrated that the current implementation of the Directive is not fully aligned with the reporting needs under EU environment law. The Commission is already taking steps to ensure that the INSPIRE

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[16] http://www.ieep.eu/work-areas/environmental-governance/better-regulation/make-it-work/subjects/2015/08/monitoring-and-reporting

[17] COM(2016) 179

[18] COM(2017) 134

[19] See footnote 3

[20] COM(2008) 46 and SWD(2013) 18

[21] COM(2016) 478 and SWD(2016) 273

implementation is giving '*priority to environmental spatial datasets, in particular those linked to monitoring and reporting*'[22].

Action 4: Develop and test tools for data harvesting at EU level

Timing: Presentation of test results in 2018

Data harvesting is a way for the EU institutions to access data at the national or local level without physically reporting it. In principle, this enables the EU level to have better and more flexible access to data while minimising inconvenience to others.

So far, it has not been possible to develop an EU-level application to effectively harvest and use publicly available data. Some experience exists, but further development and testing of such tools will be needed before they can become operational. The Commission, together with the EEA, will invest in the development of such tools and test some initial ideas before the end of 2018. This will include further improvement of the EU Geoportal and its link to the Reportnet project. The Commission will also develop practical guidance on how data harvesting can be used more effectively in environment policy in the future to address the questions identified in the fitness check (e.g. on legal certainty).

4.3. Promoting active dissemination of environmental information at European and national level

Reporting should not be for the use of the EU institutions alone. For example, it should also allow the public to better understand the state of the environment they live in.

Action 5: Develop guidance and promote best practices for European and national environmental information systems including better access to data in easy-to-understand ways

Timing: Guidance and best practice examples to be published in 2018

The Commission will promote active dissemination through guidance and the sharing of best practice at European and national levels, in full implementation of the INSPIRE Directive (see also action 6). This guidance will be developed in close consultation with Member States and other interested groups. It will build on the experiences of the sectoral work and pilot projects, in particular those carried out in the context of the Structured Implementation and Information Framework (SIIF)[23]. This exercise will also link into the international processes of the Aarhus Convention by encouraging a more widespread use of electronic tools to disseminate information actively to the public in an easy-to-use, accessible manner.

It is crucial to ensure that the Member States' administrative boundaries are not an obstacle to data flow and data management. There should be a seamless flow of information among the public authorities and to the public. It is important in implementing this action that this should also be the case in a cross-border context, and regardless of the Member State in which the information originated.

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[22] http://inspire.ec.europa.eu/document-tags/mig-workprogramme

[23] For an example of such a pilot project, see http://uwwtd.oieau.fr/

Finally, all environmental data should be available via open access, and should be easy to retrieve and re-use, notably by researchers and scientists.

Action 6: Promote full implementation of the INSPIRE Directive, giving priority to datasets most relevant for the implementation and reporting of EU environmental legislation

Timing: Member States to publish a list of priority datasets in line with INSPIRE by 2018 and review progress in 2019 on the basis of Member State reports

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As a follow-up to the INSPIRE evaluation, the Commission is in the process of identifying spatial datasets (falling under the INSPIRE Directive) linked to environmental reporting obligations[24]. Under the INSPIRE Directive, Member States must create relevant metadata for these datasets and make them available (through view, download and discovery services) at national level. Few Member States have actually done this. Once the Commission has drawn up such a list, in cooperation with the Member States[25], it will monitor the application of the INSPIRE obligations through the mechanism set out in that Directive.

4.4. Exploring the potential of other data sources and approaches to complement environmental reporting

The potential to use other data sources such as Copernicus or citizen science as a tool to complement reporting or, in some cases as an alternative, is promising. However, experience shows this may not be easy, and a number of questions have to be resolved.

Action 7: Making better use of data generated through the Copernicus programme

Timing: Establish actions in selected areas in 2017

The EU earth observation programme, Copernicus, consists of a constellation of EU-owned satellites collecting an unprecedented volume of earth observation data. Thematic information obtained through Copernicus can play an important role in the environmental compliance assurance process by, for example, raising awareness, providing indications of non-compliance, and steering inspections. But such information can also be important for environmental monitoring and reporting. Examples already exist such as the use of satellite imagery to track changes in the grassland cover in a Natura 2000 site. To encourage these developments, follow-up actions will explore how the Copernicus data can be used to complement or generally improve the quality of the information used for reporting procedures and more widely for EU environment policy-making. These actions will build on EEA experiences and aim to further develop user requirements for nature, water and marine policy in particular. Moreover, synergies with the Global Earth Observation System of Systems (GEOSS), of which Copernicus but also other international and pan-European earth observation networks are a part, could also be explored.

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[24] COM(2016) 478 and SWD(2016) 273

[25] A preliminary list is now available online.

Action 8: Promote the wider use of citizen science to complement environmental reporting

Timing: Stepwise actions leading to the development of guidelines in 2019

Another promising source for complementary information and data on environmental issues is citizen science[26]. This offers another way to collect environmental data that is cost-effective and is useful in providing early warnings about environmental trends and specific problems. At the same time, it increases awareness and empowers people. However, despite an increasing amount of citizen science data and activities, in practice citizen science data are not (yet) used widely for official environmental monitoring (especially as for some areas the data is not on par with scientifically more elaborate monitoring equipment) and reporting[27]. Nonetheless, it can trigger official reporting and action, for example if citizens report problems with a local landfill, and complement it.

The Commission will continue promoting citizen science activities through EU research and innovation programmes. This includes developing technologies that allow citizens to contribute (e.g. to monitor air quality), promoting coordination between existing actions at regional, European and international level and encouraging as well as disseminating best practices.

4.5.   Improving coherence and cooperation

Action 9: Improve cooperation in the sharing and use of data gathered in other areas for the benefit of the environment

Timing: Identify co-operation actions for improvement in 2017

There are links between environmental reporting and reporting in other EU policy areas, in particular agriculture, climate, consumer and health, energy, maritime and fisheries policy, as well as statistics Some areas for improving cooperation on the use of existing data at EU level will be considered. Information submitted to other Commission departments can be better used in some areas to inform environment policy. There are good examples in this respect for example in the agri-environment-climate areas. Other actions will also need to be taken including an assessment of the extent to which the Waste Statistics Regulation is consistent with reporting obligations under the revised EU waste legislation, once adopted.

The Commission's Fitness Check on the obligations under EU energy legislation[28] to plan, report and monitor has also looked at related issues. There is potential for pooling resources and creating links (e.g. for the indicators or electronic reporting) in the implementation process of both streamlining exercises.

The follow up will be implemented in a way that creates positive synergies for concerned policy areas.

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[26]   SWD(2016) 188

[27]   http://eurobirdportal.org/

[28]   SWD(2016) 396 and 397

Action 10: Strengthen cooperation with relevant international organisations to streamline reporting and information management between the EU level and the international level

Timing: Identify co-operation actions for improvement in 2017

There are already a number of initiatives and cooperation mechanisms in place between the EU and international organisations to streamline environmental reporting. Building on this cooperation, the Commission, together with the Member States, will make additional efforts to put the issue systematically on the agenda of the international environmental agreements where this is not already the case.

5. CONCLUSION AND OUTLOOK

The fitness check for environmental reporting and regulatory monitoring has resulted in a comprehensive evidence base of the strengths and weaknesses of the current situation. Overall, the approach to environmental policy is mature and proportionate. The current investment by Member States and EU bodies results in significant benefits. It demonstrates that EU environment legislation delivers tangible benefits and that the European public is being informed of these. Despite this generally positive situation, many streamlining activities have been undertaken or are nearing completion. The fitness check also identified a number of specific and cross-cutting areas where improvements can be made or new avenues can be explored, for example in view of possibilities offered by new technologies to provide rapid and geographically specific evidence.

These additional actions will put environmental reporting on a path towards more transparency, more focused reporting and more effective regulatory monitoring. They will streamline the obligations further, thus reducing administrative burden while strengthening our evidence base. This will benefit administrations, businesses and the European public. The reduction of administrative burden will be achieved whilst maintaining or improving the benefits, mainly through efficiency gains and increased transparency (i.e. wider public dissemination of information).

The Commission will monitor progress in implementing these actions and take stock of the situation in 2019.

Annex: Overview of proposed actions

No	Action	Timing
1	Legislative amendments to reporting obligations defined in selected pieces of legislation.	Timings set for different pieces of legislation in line with the need to make Commission proposal(s).
2	Assess and change reporting obligations in more detail as part of a rolling programme.	Rolling work programme.
3	Modernise eReporting including through a more advanced Reportnet and making best use of the existing infrastructure.	Reportnet 2.0 to be launched in 2019 expanding its capabilities and performance gradually thereafter.
4	Develop and test tools for data harvesting at EU level.	Presentation of test results in 2018.
5	Develop guidance and promote best practices for European and national environmental information systems including better access to data in easy to understand ways.	Guidance and best practice examples to be published in 2018.
6	Promote the full implementation of the INSPIRE Directive with priority for datasets most relevant for the implementation and reporting of EU environmental legislation.	Member States to publish list of priority datasets in line with INSPIRE by 2018 and review progress in 2019 on the basis of Member State reports.
7	Make better use of data generated through the Copernicus programme.	Establish actions in selected areas in 2017.
8	Promote the wider use of citizen science to complement environmental reporting.	Stepwise actions leading to development of guidelines in 2019.
9	Improve cooperation in the sharing and use of data gathered in other areas for the benefit of the environment.	Identify co-operation actions for improvement in 2017
10	Strengthen cooperation with relevant international organisations with the view to streamline reporting and information management between the EU level and the international level.	Identify co-operation actions for improvement in 2017