

**DECLARATION BY THE COMMISSION****in the Conciliation Committee on the Directive relating to the assessment and management of environmental noise**

The Commission takes note of the text agreed for Article 1(2) of the Environmental Noise Directive by the members of the Conciliation Committee for the European Parliament and the Council.

The Commission considers that legislative proposals to reduce noise emissions from all major sources should be made on the basis of robust evidence supporting such proposals. This is in line with the 'knowledge-based approach' for policy-making as proposed in the Sixth Environment Action Programme (COM(2001)31) and approved by the European Parliament and the Council.

In this regard, the reports required from Member States under the Directive on the basis of harmonised noise indicators will be an essential element. The provision of such data across the Community will allow the impact and benefits of possible measures to be properly assessed prior to presenting Community legislative proposals.

Therefore, and in accordance with the Treaty establishing the European Community, the Commission will evaluate the need to come forward with new legislative proposals, reserving its right to decide as and when it would be appropriate to present any such proposals.

This is consistent with the Commission's right of initiative, as laid out in the Treaty, while the requirements of Article 1(2) relating to the submission of new proposals within a fixed time frame appear to be prejudicial to this right.

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