Financial Instrument for the Environment (LIFE+) 2007-2013

2004/0218(COD) - 28/11/2006 - Commission opinion on Parliament's position at 2nd reading

Out of the 32 amendments adopted by the Parliament, 4 were acceptable to the Commission in their entirety, as they clarified or improved the original proposal, 6 amendments were acceptable in principle and a further 2 amendments in part. The remaining 20 amendments adopted by the Parliament are not acceptable to the Commission.

The amendments accepted in full aim to:

- apply the regulatory procedure with scrutiny to the adoption of the multi-annual strategic programmes and to Annex I of the Regulation;

- clarify the criteria that must be met by NGOs for their operational activities to be eligible for LIFE+ funding. It is acceptable, since it reflects the wording of article 1(2) of the current NGO operational funding instrument;

- further elaborate on the importance of disseminating information and raising awareness in connection with environmental matters;

- express the Parliament's wish for a solution to be found regarding the funding gap that the late adoption of the LIFE+ may create. While the budget question will ultimately be solved by the Budgetary Authority, the Commission will do its outmost to facilitate agreement on this issue.

Those amendments accepted in part concern:

- the procedure surrounding the drafting and approval of the multiannual strategic programmes to be elaborated by the Commission. While the Commission agrees with the idea of providing for public participation on the draft multi-annual strategic programmes, it cannot accept having LIFE+ implementation subject to a two-committee procedure;

- the complementarity between LIFE+ and other Community instruments. The Parliament introduces here 4 substantial changes to the Common Position text. First, it suggests replacing the words "eligibility criteria" by the words "main scope" in the first sentence of this article. This is acceptable to the Commission so long as an explanatory recital was also added. Second, the Parliament would have the references to the Competitiveness and Innovation Programme and to the 7th Research Framework Programme removed from the list of Community instruments with which complementarity should be sought. The Commission cannot accept this part of the amendment, since complementarity should also be sought with these two programmes. Third, the Parliament asks for the removal of the reference to centrally financed measures and delegated measures. The Commission cannot accept this part of the amendment, since having both centralised and decentralised management is an essential element of its proposal. Fourth, the Parliament wants the Commission to ensure coordination and complementarity between LIFE+ and other Community instruments. The Commission cannot accept the new text as proposed, since it cannot, on its own, ensure complementarity among instruments: Member States play a big role in this.

The Commission accepted the following amendments in principle which:

- contain alternative wording on environmental protection, as "one of the key dimensions of sustainable development of the European Union". This alternative to the Common position text, which refers to the environment as a key objective for sustainable development, would be acceptable in principle;

- concern the regulatory procedure with scrutiny, which would apply to the adoption and possible amendment of the multi-annual strategic programmes and amendments to the Regulation annex. While the Commission agrees that the Regulatory procedure with scrutiny is appropriate in this case, it believes that the amendment should be redrafted to take account of the new Comitology Decision (2006/512/EC);

- introduce a reference to climate change as one of the specific objectives of the LIFE+ Nature and Biodiversity component. While the Commission welcomes this reference to climate change, it considers the wording proposed by the Parliament may be shortened;

- raise the financial envelope for the implementation of LIFE+ to EUR 1,911,000,000 (in 2004 prices) for the period from 1 January 2007 to 31 December 2013;

- concern on-the-spot checks to be carried by Commission officials and other staff on projects financed under LIFE+, in particular to check compliance with the eligibility criteria set out in Article 3 of the draft Regulation;

- concern the LIFE+ Committee. It introduces a reference to the regulatory procedure with scrutiny which should be redrafted to bring it into line with the standard text agreed by the three institutions.

The Commission rejected amendments which aimed in particular to: delete all references to the delegated management of the programme; finance the Natura 2000 Network; introduce mandatory consultation of the Habitats Committee; allocate "at least 55%" of LIFE+ budgetary resources to nature and biodiversity conservation; make "capacity building assistance" one of the measures eligible for funding under LIFE+.