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INFORMATION NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EU) No 1293/2013
- Outcome of the European Parliament's proceedings
(Strasbourg, 10 to 13 December 2018)

I. INTRODUCTION

The rapporteur, Gerben-Jan GERBRANDY (ALDE, NL) presented a report consisting of 75 amendments (amendments 1-75) to the proposal for a Regulation on behalf of the Committee on the Environment, Public Health and Food Safety.

In addition, the EPP political group tabled 5 amendments (amendments 76-80), the Greens/EFA tabled 12 amendments (amendments 81-92) and the GUE/NGL political group tabled 8 amendments (amendments 93-100). The ALDE political group tabled 1 amendment (amendment 101) and the S&D political group tabled 3 amendments (amendment 102-104).

II. VOTE

When it voted on 11 December 2018, the plenary adopted amendments 1, 3-37, 39-57, 58 (1st part), 59-75 and 101-104 to the proposal for a Regulation. No other amendments were adopted. The amendments adopted are set out in the annex.

At the end of the vote, the proposal was referred back to the Committee, pursuant to Rule 59(4)(4) of the European Parliament's Rules of Procedure, thereby not bringing the Parliament's first reading to a close and opening the negotiations with the Council.

Establishing a Programme for the Environment and Climate Action (LIFE) ***I

Amendments adopted by the European Parliament on 11 December 2018 on the proposal for a regulation of the European Parliament and of the Council establishing a Programme for the Environment and Climate Action (LIFE) and repealing Regulation (EU) No 1293/2013 (COM(2018)0385 - C8-0249/2018 – 2018/0209(COD))¹

(Ordinary legislative procedure: first reading)

Amendment 1

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) The Programme for the Environment and Climate Action (LIFE), established by Regulation (EU) No 1293/2013 of the European Parliament and of the Council⁶ for the period 2014 to 2020 is the latest in a series of Union programmes over 25 years which support the implementation of environmental and climate legislation and policy priorities. It was positively assessed in a recent mid-term evaluation⁷ as being on track to be effective, efficient and relevant. The 2014-2020 LIFE Programme should therefore be continued with certain modifications identified in the mid-term evaluation and subsequent assessments. Accordingly, a Programme for the Environment and Climate Action (LIFE) (the ‘Programme’) should be established for the period starting 2021.

⁶ Regulation (EU) No 1293/2013 of the European Parliament and of the Council of 11 December 2013 on the establishment of a Programme for the Environment and

Amendment

(2) The Programme for the Environment and Climate Action (LIFE), established by Regulation (EU) No 1293/2013 of the European Parliament and of the Council⁶ for the period 2014 to 2020 is the latest in a series of Union programmes over 25 years which support the implementation of environmental and climate legislation and policy priorities. It was positively assessed in a recent mid-term evaluation⁷ as being ***already highly cost-effective and*** on track to be effective ***in general terms***, efficient and relevant. The 2014-2020 LIFE Programme should therefore be continued with certain modifications identified in the mid-term evaluation and subsequent assessments. Accordingly, a Programme for the Environment and Climate Action (LIFE) (the ‘Programme’) should be established for the period starting 2021.

⁶ Regulation (EU) No 1293/2013 of the European Parliament and of the Council of 11 December 2013 on the establishment of a Programme for the Environment and

¹ The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 59(4), fourth subparagraph (A8-0397/2018).

Climate Action (LIFE) and repealing Regulation (EC) No 614/2007 (OJ L 347, 20.12.2013, p. 185).

⁷ Report on the Mid-term Evaluation of the Programme for Environment and Climate Action (LIFE)(SWD(2017) 355 final).

Climate Action (LIFE) and repealing Regulation (EC) No 614/2007 (OJ L 347, 20.12.2013, p. 185).

⁷ Report on the Mid-term Evaluation of the Programme for Environment and Climate Action (LIFE)(SWD(2017) 355 final).

Amendment 102

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) Pursuing the achievement of the Union's objectives and targets set by environmental, climate and related clean energy legislation, policy, plans and international commitments, the Programme should contribute to the shift towards a clean, circular, energy-efficient, **low-carbon** and climate-resilient economy, to the protection and improvement of the **quality of the** environment and to halting and reversing biodiversity loss, either through direct interventions or by supporting the integration of those objectives in other policies.

Amendment

(3) Pursuing the achievement of the Union's objectives and targets set by environmental, climate and related clean energy legislation, policy, plans and international commitments, the Programme should contribute ***within the framework of just transition*** to the shift towards a clean, circular, energy-efficient, ***net-zero emission*** and climate-resilient economy, to the protection and improvement of the environment and ***health***, to halting and reversing biodiversity loss, ***including through the support of the Natura 2000 network, effective management and tackling the degradation of ecosystems***, either through direct interventions or by supporting the integration of those objectives in other policies. ***The just transition should be achieved in consultation and dialogue with social partners and the regions and communities affected. These should also be included to the extent possible in the development and implementation of projects.***

Amendment 3

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) The Union is committed to developing a comprehensive response to the sustainable development goals of the United Nations 2030 Agenda for the Sustainable Development, which highlight the intrinsic connection between the management of natural resources to ensure their long-term availability, ecosystem services, their link to human health and sustainable and socially inclusive economic growth. In this spirit, the Programme should **make** a material contribution to both economic development and social cohesion.

Amendment

(4) The Union is committed to developing a comprehensive response to the sustainable development goals of the United Nations 2030 Agenda for the Sustainable Development, which highlight the intrinsic connection between the management of natural resources to ensure their long-term availability, ecosystem services, their link to human health and sustainable and socially inclusive economic growth. In this spirit, the Programme should **reflect the principles of solidarity and responsibility-sharing, while making** a material contribution to both economic development and social cohesion.

Amendment 4

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) With a view to promoting sustainable development, environmental and climate protection requirements should be integrated into the definition and implementation of all Union policies and activities. Synergies and complementarity with other Union funding programmes should, therefore, be promoted, including by facilitating the funding of activities that complement strategic integrated projects and strategic nature projects and support the uptake and replication of solutions developed under the Programme. Coordination is required to prevent double funding. The Commission and Member States should take steps to prevent administrative overlap and burden on project

beneficiaries, arising from reporting obligations from different financial instruments.

Amendment 5

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) The Programme should contribute to sustainable development and to the achievement of the objectives and targets of the Union environment, climate and relevant clean energy legislation, strategies, plans and international commitments, in particular the United Nations 2030 Agenda for the Sustainable Development⁸, the Convention on Biological Diversity⁹ **and** the Paris Agreement adopted under the United Nations Framework Convention on Climate Change¹⁰ ("Paris Agreement on Climate Change").

⁸ Agenda 2030, Resolution adopted by UN GA on 25/09/2015.

⁹ 93/626/EEC: Council Decision of 25 October 1993 concerning the conclusion of the Convention on Biological Diversity,

Amendment

(5) The Programme should contribute to sustainable development and to the achievement of the objectives and targets of the Union environment, climate and relevant clean energy legislation, strategies, plans and international commitments, in particular the United Nations 2030 Agenda for the Sustainable Development⁸, the Convention on Biological Diversity⁹, the Paris Agreement adopted under the United Nations Framework Convention on Climate Change¹⁰ ("Paris Agreement on Climate Change"), ***the UNECE Convention on Access to Information, Public Participation and Access to Justice in Environmental Matters (the "Aarhus Convention"), the UNECE Convention on Long-Range Transboundary Air Pollution, the UN Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the UN Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the UN Stockholm Convention on Persistent Organic Pollutants.***

⁸ Agenda 2030, Resolution adopted by UN GA on 25/09/2015.

⁹ 93/626/EEC: Council Decision of 25 October 1993 concerning the conclusion of the Convention on Biological Diversity,

(OJ L 309, 13.12.1993, p. 1).

¹⁰ OJ L 282, 19.10.2016, p. 4.

(OJ L 309, 13.12.1993, p. 1).

¹⁰ OJ L 282, 19.10.2016, p. 4.

Amendments 6 and 101

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) For achieving the overarching objectives, the implementation of the Circular economy package¹¹, the 2030 Climate and Energy Policy Framework^{12,13,14}, Union nature **legislation**¹⁵, as well as of related policies^{16,17,18,19,20}, is of particular importance.

¹¹ COM(2015)0614, 02.12.2015.

¹² 2030 Climate and Energy Policy Framework, COM(2014)0015, 22.01.2014.

¹³ EU Strategy on adaptation to climate change, COM(2013)0216, 16.04.2013.

¹⁴ Clean Energy for all Europeans package, COM(2016)0860, 30.11.2016.

¹⁵ Action Plan for nature, people and the economy, COM(2017)0198, 27.04.2017.

¹⁶ Clean Air Programme for Europe, COM(2013)0918.

Amendment

(6) For achieving the overarching objectives, the implementation of the Circular economy package¹¹, the 2030 Climate and Energy Policy Framework^{12,13,14}, Union nature **acquis**^{14a, 14b, 15}, as well as of related policies^{16,17,18,19,20,20a}, is of particular importance, **as is the implementation^{20b} of the general action programmes on environment and climate policy adopted in accordance with Article 192(3) TFEU, such as the 7th Environment Action Programme^{20c}.**

¹¹ COM(2015)0614, 02.12.2015.

¹² 2030 Climate and Energy Policy Framework, COM(2014)0015, 22.01.2014.

¹³ EU Strategy on adaptation to climate change, COM(2013)0216, 16.04.2013.

¹⁴ Clean Energy for all Europeans package, COM(2016)0860, 30.11.2016.

^{14a} **Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).**

^{14b} **Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).**

¹⁵ Action Plan for nature, people and the economy, COM(2017)0198, 27.04.2017.

¹⁶ Clean Air Programme for Europe, COM(2013)0918.

¹⁷ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

¹⁸ Thematic Strategy for Soil Protection, COM(2006)0231.

¹⁹ Low Emission Mobility Strategy, COM(2016)0501.

²⁰ Action Plan on Alternative Fuels Infrastructure under Article 10(6) of Directive 2014/94/EU, 8.11.2017.

¹⁷ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

¹⁸ Thematic Strategy for Soil Protection, COM(2006)0231.

¹⁹ Low Emission Mobility Strategy, COM(2016)0501.

²⁰ Action Plan on Alternative Fuels Infrastructure under Article 10(6) of Directive 2014/94/EU, 8.11.2017.

^{20a} Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

^{20b} Proposal for a Regulation of the European Parliament and of the Council on minimum requirements for water reuse.

^{20c} Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet' (OJ L 354 of 28.12.2013, p. 171).

Amendment 7

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) The Union attaches great

importance to the long-term sustainability of the results of LIFE projects, and to the capacity to secure and maintain those results after project implementation, inter alia by project continuation, replication and/or transfer. This implies having special requirements for the applicants as well as the need for Union-level guarantees to ensure that other Union funded projects do not undermine the results of any implemented LIFE projects.

Amendment 8

Proposal for a regulation Recital 7

Text proposed by the Commission

(7) Complying with the Union's commitments under the Paris Agreement on Climate Change requires the transformation of the Union into an energy efficient, low carbon and climate resilient society. This in turn requires actions, with a special focus on sectors that contribute most to the current levels of **CO₂** output and pollution, contributing to the implementation of the 2030 energy and climate policy framework and the Member States' Integrated National Energy and Climate Plans and preparations for the Union's mid-century and long-term climate and energy strategy. The Programme should also include measures contributing to the implementation of the Union's climate adaptation policy to decrease vulnerability to the adverse effects of climate change.

Amendment

(7) Complying with the Union's commitments under the Paris Agreement on Climate Change requires the transformation of the Union into **a sustainable, circular, renewable**, energy efficient, **net zero-emission** and climate resilient society. This in turn requires actions, with a special focus on sectors that contribute most to the current levels of **greenhouse gas** output and pollution, contributing to the implementation of the 2030 energy and climate policy framework and the Member States' Integrated National Energy and Climate Plans and **to the implementation of** the Union's mid-century and long-term climate and energy strategy, **in line with the decarbonisation objective of the Paris Agreement**. The Programme should also include measures contributing to the implementation of the Union's climate adaptation policy to decrease vulnerability to the adverse effects of climate change.

Amendment 9

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The transition to **clean** energy is an essential contribution to the mitigation of climate change with co-benefits for the environment. Actions for capacity building supporting the clean energy transition, funded until 2020 under Horizon 2020, should be integrated in the Programme since their objective is not to fund excellence and generate innovation, but to facilitate the uptake of already available technology that will contribute to climate mitigation. The inclusion of these capacity building activities into the Programme offers potential for synergies between the sub-programmes and increases the overall coherence of Union funding. Therefore, data should be collected and disseminated on the uptake of existing research and innovation solutions in the LIFE projects, including from the Horizon Europe programme and its predecessors.

Amendment

(8) The transition to **renewable, energy efficient and net-zero emission** energy is an essential contribution to the mitigation of climate change with co-benefits for the environment. Actions for capacity building supporting the clean energy transition, funded until 2020 under Horizon 2020, should be integrated in the Programme since their objective is not to fund excellence and generate innovation, but to facilitate the uptake of already available technology **for renewable energy and energy efficiency**, that will contribute to climate mitigation. The **Programme should involve all stakeholders and sectors involved in a clean energy transition, such as the building sector, industry, transport and agriculture**. The inclusion of these capacity building activities into the Programme offers potential for synergies between the sub-programmes and increases the overall coherence of Union funding. Therefore, data should be collected and disseminated on the uptake of existing research and innovation solutions in the LIFE projects, including from the Horizon Europe programme and its predecessors.

Amendment 10

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) The impact assessments of the Clean Energy legislation estimate that the

Amendment

(9) The impact assessments of the Clean Energy legislation estimate that the

delivery of the Union's 2030 energy targets will require additional investments of EUR 177 billion annually in the period 2021-2030. The biggest gaps relate to the investments in buildings decarbonisation (energy efficiency and small-scale renewable energy sources), where capital needs to be channelled towards projects of highly distributed nature. One of the objectives of the Clean Energy Transition sub-programme is to build capacity for **projects** development and aggregation, thereby also helping to absorb funds from the European Structural and Investment Funds and catalyse investments in **clean** energy also using the financial instruments provided under InvestEU.

delivery of the Union's 2030 energy targets will require additional investments of EUR 177 billion annually in the period 2021-2030. The biggest gaps relate to the investments in buildings decarbonisation (energy efficiency and small-scale renewable energy sources), where capital needs to be channelled towards projects of highly distributed nature. One of the objectives of the Clean Energy Transition sub-programme is to build capacity for **project** development and aggregation, thereby also helping to absorb funds from the European Structural and Investment Funds and catalyse investments in **renewable energy and energy efficiency**, also using the financial instruments provided under InvestEU.

Amendment 11

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) The LIFE programme is the only programme dedicated specifically to environment and climate action, and therefore plays a crucial role in supporting the implementation of Union legislation in those areas.

Amendment 12

Proposal for a regulation

Recital 11

Text proposed by the Commission

Amendment

(11) An action that has received a contribution from the Programme can also receive a contribution from any other Union programme, provided that the contributions do not cover the same costs.

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Actions that receive cumulative funding from different Union programmes **shall** be audited only once, covering all involved programmes and their respective applicable rules.

Actions that receive cumulative funding from different Union programmes **should** be audited only once, covering all involved programmes and their respective applicable rules.

Amendment 13

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) The Union's most recent Environmental Implementation Review package²¹ indicates that significant progress is required to accelerate implementation of the Union environment acquis and enhance the integration of environmental and climate objectives into other policies. The Programme should therefore act as a catalyst to achieve the required progress through developing, testing and replicating new approaches; supporting policy development, monitoring and review; enhancing stakeholder involvement; mobilising investments across Union investment programmes or other financial sources and supporting actions to overcome the various obstacles to the effective implementation of key plans required by environment legislation.

²¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - The

Amendment

(12) The Union's most recent Environmental Implementation Review (**EIR**) package²¹ indicates that significant progress is required to accelerate implementation of the Union environment acquis and enhance the integration **and mainstreaming** of environmental and climate objectives into other policies. The Programme should therefore act as a catalyst to **tackle horizontal, systemic challenges as well as the root causes for implementation deficiencies as identified in the EIR and** to achieve the required progress through developing, testing and replicating new approaches; supporting policy development, monitoring and review; **improving governance on environmental, climate change and related clean energy transition matters, including through enhancing multi-level public and stakeholder involvement, capacity building, communication and awareness;** mobilising investments across Union investment programmes or other financial sources and supporting actions to overcome the various obstacles to the effective implementation of key plans required by environment legislation.

²¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - The

EU Environmental Implementation Review: Common challenges and how to combine efforts to deliver better results (COM(2017)0063).

EU Environmental Implementation Review: Common challenges and how to combine efforts to deliver better results (COM(2017)0063).

Amendment 14

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) Halting and reversing biodiversity loss, including in marine ecosystems, requires support for the development, implementation, enforcement and assessment of relevant Union legislation and policy, including the EU Biodiversity Strategy to 2020²², Council Directive 92/43/EEC²³ and Directive 2009/147/EC of the European Parliament and of the Council²⁴ and Regulation (EU) 1143/2014 of the European Parliament and of the Council²⁵, in particular by developing the knowledge base for policy development and implementation and by developing, testing, demonstrating and applying best practices and solutions on small scale or tailored to specific local, regional or national contexts, including integrated approaches for the implementation of the prioritised action frameworks prepared on the basis of Directive 92/43/EEC. The Union should track *its* biodiversity-related expenditure to fulfil *its* reporting obligations under the Convention on Biological Diversity. Requirements for tracking in other relevant Union legislation should also be met.

²² COM(2011)0244.

²³ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural

Amendment

(13) Halting and reversing biodiversity loss ***and the degradation of ecosystems***, including in marine ***and other aquatic*** ecosystems, requires support for the development, implementation, enforcement and assessment of relevant Union legislation and policy, including the EU Biodiversity Strategy to 2020²², Council Directive 92/43/EEC²³ and Directive 2009/147/EC of the European Parliament and of the Council²⁴ and Regulation (EU) 1143/2014 of the European Parliament and of the Council²⁵, in particular by developing the knowledge base for policy development and implementation and by developing, testing, demonstrating and applying best practice and solutions, ***such as effective management***, on small scale or tailored to specific local, regional or national contexts, including integrated approaches for the implementation of the prioritised action frameworks prepared on the basis of Directive 92/43/EEC. The Union ***and the Member States*** should track ***their*** biodiversity-related expenditure to fulfil ***their*** reporting obligations under the Convention on Biological Diversity. Requirements for tracking in other relevant Union legislation should also be met.

²² COM(2011)0244.

²³ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural

habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

²⁴ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

²⁵ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

²⁴ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

²⁵ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, p. 35).

Amendment 15

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) Recent evaluations and assessments, including the mid-term review of the EU Biodiversity Strategy to 2020 and the Fitness Check of Nature legislation, indicate that one of the main underlying causes for insufficient implementation of Union nature legislation and of the biodiversity strategy is the lack of adequate financing. The main Union funding instruments, including the [European Regional Development Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund], can make a significant contribution towards meeting those needs. The Programme can further improve the efficiency of such mainstreaming through strategic nature projects dedicated to catalysing the implementation of Union nature and biodiversity legislation and policy, including the actions set out in the Priority Action Frameworks developed in accordance with Directive 92/43/EEC. The strategic nature projects should support programmes of actions in Member States

Amendment

(14) Recent evaluations and assessments, including the mid-term review of the EU Biodiversity Strategy to 2020 and the Fitness Check of Nature legislation, indicate that one of the main underlying causes for insufficient implementation of Union nature legislation and of the biodiversity strategy is the lack of adequate financing. The main Union funding instruments, including the [European Regional Development Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund], can make a significant contribution towards meeting those needs, ***with the precondition that the funding has to be complementary***. The Programme can further improve the efficiency of such mainstreaming through strategic nature projects dedicated to catalysing the implementation of Union nature and biodiversity legislation and policy, including the actions set out in the Priority Action Frameworks developed in accordance with Directive 92/43/EEC. The strategic nature projects should support

for the mainstreaming of relevant nature and biodiversity objectives into other policies and financing programmes, thus ensuring that appropriate funds are mobilised for implementing these policies. Member States could decide within their Strategic Plan for the Common Agricultural Policy to use a certain share of the European Agricultural Fund for Rural Development allocation to leverage support for actions that complement the Strategic Nature Projects as defined under this Regulation.

programmes of actions *to assist* in the mainstreaming of relevant nature and biodiversity objectives into other policies and financing programmes, thus ensuring that appropriate funds are mobilised for implementing these policies. Member States could decide within their Strategic Plan for the Common Agricultural Policy to use a certain share of the European Agricultural Fund for Rural Development allocation to leverage support for actions that complement the Strategic Nature Projects as defined under this Regulation.

Amendment 16

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) The voluntary scheme for Biodiversity and Ecosystem Services in Territories of European Overseas (BEST) promotes the conservation of biodiversity, including marine biodiversity, and sustainable use of ecosystem services, including ecosystem-based approaches to climate change adaptation and mitigation, in the Union's Outermost Regions and Overseas Countries and Territories. BEST has helped to raise awareness for the ecological importance of the Outermost Regions and Overseas Countries and Territories *for* conserving global biodiversity. In their Ministerial Declarations in 2017 and 2018, Overseas Countries and Territories have expressed their appreciation for this small grant scheme for biodiversity. It is appropriate *to allow* the Programme to continue *financing* small grants for biodiversity in both the Outermost Regions and the Overseas Countries and Territories.

Amendment

(15) The voluntary scheme for Biodiversity and Ecosystem Services in Territories of European Overseas (BEST) promotes the conservation of biodiversity, including marine biodiversity, and sustainable use of ecosystem services, including ecosystem-based approaches to climate change adaptation and mitigation, in the Union's Outermost Regions and Overseas Countries and Territories. ***Through the BEST preparatory action adopted in 2011 and the subsequent BEST 2.0 Programme and BEST RUP project,*** BEST has helped to raise awareness for the ecological importance of the Outermost Regions and Overseas Countries and Territories ***and their key role in*** conserving global biodiversity. ***The Commission estimates that the need for financial support for projects on the ground in those territories is EUR 8 million per year.*** In their Ministerial Declarations in 2017 and 2018, Overseas Countries and Territories have expressed their appreciation for this small grant scheme for biodiversity. It is ***therefore***

appropriate *for* the Programme to continue *to finance* small grants for biodiversity, *including capacity building and the capitalisation of actions funded*, in both the Outermost Regions and the Overseas Countries and Territories.

Amendment 17

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) Promoting the circular economy requires a mentality shift in the way of designing, producing, consuming and disposing of materials and products, including plastics. The Programme should contribute to the transition to a circular economy model through financial support targeting a variety of actors (businesses, public authorities and consumers), in particular by applying, developing, and replicating best technology, practices and solutions tailored to specific local, regional or national contexts, including through integrated approaches for the implementation of waste management and prevention plans. Through supporting the implementation of the plastics strategy, action can be taken to address the problem of marine litter in particular.

Amendment

(16) Promoting the circular economy *and resource efficiency* requires a mentality shift in the way of designing, producing, consuming and disposing of materials and products, including plastics. The Programme should contribute to the transition to a circular economy model through financial support targeting a variety of actors (businesses, public authorities, civil society and consumers), in particular by applying, developing, and replicating best technology, practices and solutions tailored to specific local, regional or national contexts, including through integrated approaches *for the application of the waste hierarchy and* the implementation of waste management and prevention plans. Through supporting the implementation of the plastics strategy, action can be taken to address the problem of marine litter in particular.

Amendment 18

Proposal for a regulation Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) A high level of environmental protection is of fundamental importance for the health and well-being of Union citizens. The Programme should support the Union's objective to produce and use chemicals in ways that lead to the minimisation of significant adverse effects on human health and the environment, and to develop a Union strategy for a non-toxic environment. The Programme should also support activities to facilitate the implementation of Directive 2002/49/EC of the Parliament and of the Council^{1a} in order to achieve noise levels that do not give rise to significant negative impacts on and risks to human health.

^{1a} Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise - Declaration by the Commission in the Conciliation Committee on the Directive relating to the assessment and management of environmental noise (OJ L 189, 18.7.2002, p. 12).

Amendment 19

Proposal for a regulation Recital 17

Text proposed by the Commission

Amendment

(17) The Union's long-term objective for air policy is to achieve levels of air quality that do not cause significant negative impacts on and risks to human health.

(17) The Union's long-term objective for air policy is to achieve levels of air quality that do not cause significant negative impacts on and risks to human health ***and***

Public awareness about air pollution is high and citizens expect authorities to act. Directive (EU) 2016/2284 of the European Parliament and of the Council²⁶ stresses the role Union funding can play in achieving clean air objectives. Therefore, the Programme should support projects, including strategic integrated projects, which have the potential to leverage public and private funds, to be showcases of good practice and catalysts for the implementation of air quality plans and legislation at local, regional, multi-regional, national and trans-national level.

²⁶ Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p. 1).

the environment, while reinforcing the synergies between air quality improvements and greenhouse gas emission reduction. Public awareness about air pollution is high and citizens expect authorities to act, *in particular in areas where the population and ecosystems are exposed to high levels of air pollutants.* Directive (EU) 2016/2284 of the European Parliament and of the Council²⁶ stresses the role Union funding can play in achieving clean air objectives. Therefore, the Programme should support projects, including strategic integrated projects, which have the potential to leverage public and private funds, to be showcases of good practice and catalysts for the implementation of air quality plans and legislation at local, regional, multi-regional, national and trans-national level.

²⁶ Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p. 1).

Amendment 20

Proposal for a regulation Recital 19

Text proposed by the Commission

(19) The protection and restoration of the **marine** environment is one of the overall aims of the Union's environment policy. The Programme should support the following: the management, conservation, restoration and monitoring of biodiversity and **marine** ecosystems in particular in Natura 2000 marine sites and the protection of species in accordance with the prioritised action frameworks

Amendment

(19) The protection and restoration of the **aquatic** environment is one of the overall aims of the Union's environment policy. The Programme should support the following: the management, conservation, restoration and monitoring of biodiversity and **aquatic** ecosystems in particular in Natura 2000 marine sites and the protection of species in accordance with the prioritised action frameworks

developed pursuant to Directive 92/43/EEC; the achievement of Good Environmental Status in line with the Directive 2008/56/EC of the European Parliament and of the Council²⁸ ; the promotion of clean and healthy seas; the implementation of the European strategy for plastic in a circular economy, to address the problem of lost fishing gear and marine litter in particular; and the promotion of the Union's involvement in international ocean governance which is essential for achieving the goals of the United Nations 2030 Agenda for Sustainable Development and to guarantee healthy oceans for future generations. The Programme's strategic integrated projects and strategic nature projects should include relevant actions aiming at the protection of the *marine* environment.

²⁸ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

developed pursuant to Directive 92/43/EEC; the achievement of Good Environmental Status in line with the Directive 2008/56/EC of the European Parliament and of the Council²⁸ ; the promotion of clean and healthy seas; the implementation of the European strategy for plastic in a circular economy, to address the problem of lost fishing gear and marine litter in particular; and the promotion of the Union's involvement in international ocean governance which is essential for achieving the goals of the United Nations 2030 Agenda for Sustainable Development and to guarantee healthy oceans for future generations. The Programme's strategic integrated projects and strategic nature projects should include relevant actions aiming at the protection of the *aquatic* environment.

²⁸ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

Amendment 21

Proposal for a regulation Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) The current conservation status of Natura 2000 areas on agricultural land is very poor, which indicates that such areas are still in need of protection. Current CAP payments for Natura 2000 areas are the most effective means of preserving biodiversity in agricultural land^{1a}. However, such payments are insufficient and they do not represent a high value for natural capital. To incentivise environmental protection of such areas,

CAP payments for Natura 2000 areas should therefore be increased.

*^{1a} G. Pe'er, S. Lakner, R. Müller, G. Passoni, V. Bontzorlos, D. Clough, F. Moreira, C. Azam, J. Berger, P. Bezak, A. Bonn, B. Hansjürgens, L. Hartmann, J. Kleemann, A. Lomba, A. Sahrbacher, S. Schindler, C. Schleyer, J. Schmidt, S. Schüler, C. Sirami, M. von Meyer-Höfer, and Y. Zinngrebe (2017). *Is the CAP Fit for purpose? An evidence based fitness-check assessment.* Leipzig, German Centre for Integrative Biodiversity Research (iDiv) Halle-Jena-Leipzig.*

Amendment 22

Proposal for a regulation Recital 20

Text proposed by the Commission

(20) The improvement of governance on environmental, climate change and related clean energy transition matters requires involvement of civil society by raising public awareness, consumer engagement, and broadening of stakeholder involvement, including non-governmental organisations, in consultation on and implementation of related policies.

Amendment

(20) The improvement of governance on environmental, climate change and related clean energy transition matters requires involvement of civil society by raising public awareness, ***including through a communication strategy that takes into account new media and social networks***, consumer engagement, and broadening of ***multi-level public and*** stakeholder involvement, including non-governmental organisations, in consultation on and implementation of related policies. ***It is, therefore, appropriate that the Programme support a broad range of NGOs as well as networks of non-profit-making entities that pursue an aim which is of general Union interest, and that are primarily active in the field of environment or climate action, by awarding, in a competitive and transparent manner, operating grants, in order to help such NGOs, networks and***

entities to make effective contributions to Union policy, and to build up and strengthen their capacity to become more efficient partners.

Amendment 23

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) Whilst improving governance at all levels should be a cross-cutting objective for all sub-programmes of the Programme, the Programme should support the development *and* implementation of the horizontal legislation on the environmental governance, including the legislation implementing the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters²⁹.

²⁹ OJ L 124, 17.5.2005, p. 4.

Amendment

(21) Whilst improving governance at all levels should be a cross-cutting objective for all sub-programmes of the Programme, the Programme should support the development, implementation *and enforcement* of, *and effective compliance with, the environment and climate acquis, in particular* the horizontal legislation on the environmental governance, including the legislation implementing the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters²⁹ ^{29a}, *and the Aarhus Convention Compliance Committee.*

²⁹ OJ L 124, 17.5.2005, p. 4.

^{29a} [*Regulation \(EC\) No. 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies \(OJ L 264, 25.9.2006, pp. 13\).*](#)

Amendment 24

Proposal for a regulation Recital 22

Text proposed by the Commission

(22) The Programme should prepare and support market players for the shift towards a clean, circular, energy-efficient, **low-carbon** and climate-resilient economy by testing new business opportunities, upgrading professional skills, facilitating consumers' access to sustainable products and services, engaging and empowering influencers and testing novel methods to adapt the existing processes and business landscape. To support a broader market uptake of sustainable solutions, general public acceptance and consumer engagement should be promoted.

Amendment

(22) The Programme should prepare and support market players for the shift towards a clean, circular, energy-efficient, **net-zero emission** and climate-resilient economy by testing new business opportunities, upgrading professional skills, facilitating consumers' access to sustainable products and services, engaging and empowering influencers and testing novel methods to adapt the existing processes and business landscape. To support a broader market uptake of sustainable solutions, general public acceptance and consumer engagement should be promoted.

Amendment 25

Proposal for a regulation Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) The Programme is designed to support the demonstration of techniques, approaches and best practice that can be replicated and upscaled. Innovative solutions would contribute to the improvement of environmental performance and sustainability, in particular for the development of sustainable farming practices in the areas active in the fields of climate, water, soil, biodiversity and waste. Synergies with other programmes and policies, such as the European Innovation Partnership for Agricultural Productivity and Sustainability and the EU Eco-

Management and Audit Scheme, should be emphasised in this regard.

Amendment 26

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) At Union level, large investments in environmental and climate actions are primarily funded by major Union funding programmes (mainstreaming). In the context of their catalytic role, strategic integrated projects and strategic nature projects to be developed under the Programme should leverage financing opportunities under those funding programmes and other sources of funding such as national funds, and create synergies.

Amendment

(23) At Union level, large investments in environmental and climate actions are primarily funded by major Union funding programmes. ***It is therefore imperative to step up the mainstreaming efforts, to ensure sustainability, biodiversity and climate proofing of other Union funding programmes and the integration of sustainability safeguards in all Union instruments. The Commission should have the power to adopt a common methodology and take effective measures to ensure that LIFE projects are not negatively affected by other Union programmes and policies.*** In the context of their catalytic role, strategic integrated projects and strategic nature projects to be developed under the Programme should leverage financing opportunities under those funding programmes and other sources of funding such as national funds, and create synergies.

Amendment 27

Proposal for a regulation

Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) The success of strategic nature projects and strategic integrated projects depends on close cooperation between national, regional and local authorities and the non-state actors affected by the Programme's objectives. The principles of transparency and disclosure regarding

decisions concerning the development, implementation, assessment and monitoring of projects should, therefore, be applied, in particular in the case of mainstreaming or when multiple funding sources are involved.

Amendment 28

Proposal for a regulation Recital 24

Text proposed by the Commission

(24) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Programme will contribute to mainstream climate actions and to the achievement of an overall target of 25 % of the EU budget expenditures supporting climate objectives. Actions under this Programme are expected to contribute 61% of the overall financial envelope of the Programme to climate objectives. Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes.

Amendment

(24) Reflecting the importance of tackling climate change ***in a coordinated and ambitious manner***, in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Programme will contribute to mainstream climate actions and to the achievement of an overall target of ***at least 25%*** of the EU budget expenditures supporting climate objectives ***over the MFF 2021-2027 period, and an annual target of 30 % as soon as possible and at the latest by 2027.*** Actions under this Programme are expected to contribute ***[61%]*** of the overall financial envelope of the Programme to climate objectives. Relevant actions will be identified during the Programme's preparation and implementation, and reassessed in the context of the relevant evaluations and review processes.

Amendment 29

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) In the implementation of the Programme due consideration should be given to the strategy for outermost regions in view of Article 349 TFEU and the specific needs and vulnerabilities of these regions. Union policies other than environmental, climate and relevant clean energy transition policies should also be taken into account.

Amendment

(25) In the implementation of the Programme due consideration should be given to the strategy for outermost regions in view of Article 349 TFEU and the specific needs and vulnerabilities of these regions. ***Union and Member State funding should be appropriately strengthened in that regard.*** Union policies other than environmental, climate and relevant clean energy transition policies should also be taken into account.

Amendment 30

Proposal for a regulation

Recital 26

Text proposed by the Commission

(26) In support of the implementation of the Programme, the Commission should collaborate with the Programme's national contact points, organise seminars and workshops, publish lists of projects funded under the Programme or undertake other activities to disseminate project results and to facilitate exchanges of experience, knowledge and best practices and the replication of project results across the Union. Such activities should in particular target Member States with a low uptake of funds and should facilitate the communication and cooperation between project beneficiaries, applicants or stakeholders of completed and ongoing projects in the same field.

Amendment

(26) In support of the implementation of the Programme, the Commission should collaborate with the Programme's national ***regional and local*** contact points, ***including in the set-up of an advisory network at local level to facilitate the development of projects with high added-value and policy impact and to ensure the provision of information on complementary financing, transferability of projects as well as long-term sustainability***, organise seminars and workshops, publish lists of projects funded under the Programme or undertake other activities, ***such as media campaigns, in order to better*** disseminate project results and to facilitate exchanges of experience, knowledge and best practices and the replication of project results across the Union, ***thus promoting cooperation and communication***. Such activities should in particular target Member States with a low uptake of funds and should facilitate the communication and cooperation between

project beneficiaries, applicants or stakeholders of completed and ongoing projects in the same field. ***It is essential that such communication and cooperation also involve regional and local authorities and stakeholders.***

Amendment 31

Proposal for a regulation Recital 28 a (new)

Text proposed by the Commission

Amendment

(28a) The minimum and maximum co-financing rates should be set at levels such as are necessary to maintain the effective level of support provided by the Programme, while taking into account the necessary flexibility and adaptability that is needed to respond to the existing range of actions and entities.

Amendment 32

Proposal for a regulation Recital 31

Text proposed by the Commission

Amendment

(31) The types of financing and the methods of implementation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. As regards grants, this should include consideration of the use of lump sums, flat rates and scales of unit costs.

(31) The types of financing and the methods of implementation should be chosen on the basis of their ability to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. As regards grants, this should include consideration of the use of lump sums, flat rates and scales of unit costs. ***The Commission should ensure that implementation is easy to understand, and should promote genuine simplification for project developers.***

Amendment 33

Proposal for a regulation Recital 36 a (new)

Text proposed by the Commission

Amendment

(36a) In order to ensure that support from and implementation of the Programme is consistent with the policies and priorities of the Union and complementary to other financial instruments of the Union, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in order to supplement this Regulation by adopting multiannual work programmes. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment 34

Proposal for a regulation Recital 38

Text proposed by the Commission

Amendment

(38) Since the objectives of this Regulation, namely contributing to

(38) Since the objectives of this Regulation, namely contributing to **a high**

sustainable development and to the achievement of the objectives and targets of the Union environment, climate and relevant *clean* energy legislation, strategies, plans or international commitments cannot be sufficiently achieved by the Member States but can rather, by reason of scale and effects of this Regulation, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. 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.

level of environmental protection and ambitious climate action with good governance and a multi-stakeholder approach and to the achievement of the objectives and targets of the Union environment, *biodiversity*, climate, *circular economy* and relevant *renewable energy and energy efficiency* legislation, strategies, plans or international commitments, cannot be sufficiently achieved by the Member States but can rather, by reason of scale and effects of this Regulation, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. 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.

Amendment 35

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

This Regulation establishes *the* Programme for the Environment and Climate Action (LIFE) (the ‘Programme’).

Amendment

This Regulation establishes *a* Programme for the Environment and Climate Action (LIFE) (the ‘Programme’), *covering the period from 1 January 2021 to 31 December 2027*.

Amendment 36

Proposal for a regulation

Article 1 – paragraph 2

Text proposed by the Commission

It lays down the objectives of the Programme, the budget for *the* period *2021-2027*, the forms of Union funding

Amendment

It lays down the objectives of the Programme, the budget for *that* period, the forms of Union funding and the rules for

and the rules for providing such funding.

providing such funding.

Amendment 37

Proposal for a regulation

Article 2 – paragraph 1 – point 1

Text proposed by the Commission

(1) 'strategic nature projects' means projects that support the achievement of Union nature and biodiversity objectives by implementing coherent programmes of action ***in the Member States to mainstream*** these objectives and priorities into other policies and financing instruments, including through coordinated implementation of the priority action frameworks established pursuant to Directive 92/43/EEC;

Amendment

(1) 'strategic nature projects' means projects that support the achievement of Union nature and biodiversity objectives, by implementing coherent programmes of action, ***in particular by mainstreaming*** these objectives and priorities into other policies and financing instruments, including through coordinated implementation of the priority action frameworks established pursuant to Directive 92/43/EEC;

Amendment 103

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. The general objective of the Programme is to contribute to the shift towards a clean, circular, energy-efficient, ***low-carbon*** and climate-resilient economy, ***including through the transition to clean energy***, to ***the protection and improvement of*** the quality of the environment and to ***halting and reversing*** biodiversity loss, thereby contributing to sustainable development.

Amendment

1. The general objective of the Programme is to contribute ***within the framework of just transition*** to the shift towards a clean, circular, energy-efficient, ***net-zero emission*** and climate-resilient economy, to ***protect and improve*** the quality of the environment and to ***halt and reverse*** biodiversity loss ***and the degradation of ecosystems***, thereby contributing to sustainable development.

Amendment 39

Proposal for a regulation

Article 3 – paragraph 2 – point a

Text proposed by the Commission

(a) to develop, demonstrate and promote innovative techniques and approaches for reaching the objectives of the Union legislation and policy on environment and climate action, including the transition to clean energy, and to contribute to the application of best practice in relation to nature and biodiversity;

Amendment

(a) to develop, demonstrate and promote innovative techniques and approaches for reaching the objectives of the Union legislation and policy on environment and climate action, including the transition to clean, **renewable energy and increased energy efficiency**, and to contribute to the **knowledge base, effective management and** application of best practice, in relation to nature and biodiversity, **including through the support of the Natura 2000 network**;

Amendment 40

Proposal for a regulation

Article 3 – paragraph 2 – point b

Text proposed by the Commission

(b) to support the development, implementation, monitoring and enforcement of the relevant Union legislation and policy, including by **improving governance through** enhancing capacities of public and private actors and the involvement of civil society;

Amendment

(b) to support the development, implementation, monitoring, **effective compliance and** enforcement of the relevant Union legislation and policy, **in particular by supporting the implementation of General Union Environment Action Programmes that have been adopted pursuant to Article 192(3) TFEU and by improving environmental and climate governance at all levels**, including by enhancing capacities of public and private actors and the involvement of civil society;

Amendment 41

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

1. The financial envelope for the implementation of the Programme for the period 2021-2027 shall be EUR **5 450 000 000** in current prices.

Amendment

1. The financial envelope for the implementation of the Programme for the period 2021-2027 shall be EUR **6 442 000 000 in 2018 prices** (EUR 7 272 000 000 in current prices).

Amendment 42

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. The indicative distribution of the amount referred to in paragraph 1 shall be:

(a) EUR **3 500 000 000** for the field Environment, of which

(1) EUR **2 150 000 000** for the sub-programme Nature and Biodiversity and

(2) EUR **1 350 000 000** for the sub-programme Circular Economy and Quality of Life;

(b) EUR 1 950 000 000 for the field Climate Action, of which

(1) EUR 950 000 000 for the sub-programme Climate Change Mitigation

Amendment

2. The indicative distribution of the amount referred to in paragraph 1 shall be:

(a) EUR **4 715 000 000 in 2018 prices** (EUR 5 322 000 000 in current prices, **which constitutes 73,2% of the total financial envelope of the Programme**) for the field Environment, of which

(1) EUR **2 829 000 000 in 2018 prices** (EUR 3 261 420 000 in current prices **which constitutes 44,9% of the total financial envelope of the Programme**) for the sub-programme Nature and Biodiversity and

(2) EUR **1 886 000 000 in 2018 prices** (EUR 2 060 580 000 in current prices **which constitutes 28,3% of the total financial envelope of the Programme**) for the sub-programme Circular Economy and Quality of Life;

(b) EUR 1 950 000 000 for the field Climate Action, of which

(1) EUR 950 000 000 for the sub-programme Climate Change Mitigation

and Adaptation and

(2) EUR 1 000 000 000 for the sub-programme Clean Energy Transition.

and Adaptation and

(2) EUR 1 000 000 000 for the sub-programme Clean Energy Transition.

Amendment 43

Proposal for a regulation

Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Programme shall be open to the following third countries:

Amendment

1. ***Subject to fully complying with all its rules and regulations,*** the Programme shall be open to the following third countries:

Amendment 44

Proposal for a regulation

Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

International cooperation

In the course of implementing the Programme, cooperation with relevant international organisations, and with their institutions and bodies, shall be possible where needed for the purpose of achieving the general objectives set out in Article 3.

Amendment 45

Proposal for a regulation Article 7

Text proposed by the Commission

The Programme shall ***be implemented in a way which ensures its consistency*** with the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development, and the European Maritime and Fisheries Fund, Horizon Europe, the Connecting Europe Facility and InvestEU, in order to create synergies, particularly as regards strategic nature projects and strategic integrated projects, and to support the uptake and replication of solutions developed under the Programme.

Amendment

The Commission shall ensure the consistent implementation of the Programme and the Commission and the Member States shall ensure coherence and coordination with the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development, the European Maritime and Fisheries Fund, Horizon Europe, the Connecting Europe Facility, ***the Emissions Trading System Innovation Fund*** and InvestEU, in order to create synergies, particularly as regards strategic nature projects and strategic integrated projects, and to support the uptake and replication of solutions developed under the Programme ***The Commission and Member States shall ensure complementarity at all levels. The Commission shall identify specific actions and shall mobilise relevant finance under other Union programmes, and facilitate the coordinated and coherent implementation of the complementary actions financed from other sources.***

Amendment 104

Proposal for a regulation Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Programme shall be implemented within the framework of just transition, whereby the communities and territories affected are included in the development and implementation of projects, in particular through consultations and dialogue.

Amendment 46

Proposal for a regulation Article 10 – paragraph 3

Text proposed by the Commission

Amendment

3. Projects under the sub-programme Nature and Biodiversity concerning the management, restoration and monitoring of Natura 2000 sites in accordance with Directives 92/43/EEC and 2009/147/EC shall **be supported in accordance with** prioritised action frameworks established pursuant to Directive 92/43/EEC.

3. Projects under the sub-programme Nature and Biodiversity concerning the management, restoration and monitoring of Natura 2000 sites in accordance with Directives 92/43/EEC and 2009/147/EC shall **take account of priorities set out in national and regional plans, strategies and policies, inter alia in** prioritised action frameworks established pursuant to Directive 92/43/EEC.

Amendment 47

Proposal for a regulation Article 10 – paragraph 4

Text proposed by the Commission

Amendment

4. Grants may finance activities outside **the Union**, provided that the project pursues Union environmental and climate objectives and the activities outside the Union are necessary to ensure the effectiveness of interventions carried out in Member State territories.

4. Grants may finance activities outside **a Member State or an overseas country or territory linked to it**, provided that the project pursues Union environmental and climate objectives and the activities outside the Union are necessary to ensure the effectiveness of interventions carried out in

Member State territories *or an overseas country or territory, or to support international agreements to which the Union is party.*

Amendment 48

Proposal for a regulation

Article 11 – paragraph 2 – point a – point 3

Text proposed by the Commission

(3) other third countries listed in the *work programme* under the conditions specified in paragraphs 4 to 6;

Amendment

(3) other third countries listed in the *multiannual work programmes*, under the conditions specified in paragraphs 4 to 6;

Amendment 49

Proposal for a regulation

Article 11 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. *In order to ensure effective use of the Programme's funds and efficient participation by the legal entities referred to in paragraph 4, the Commission is empowered to adopt delegated acts in accordance with Article 21 to supplement this Article by laying down the extent to which participation by those legal entities in the environmental and climate policy conducted by the Union is sufficient for them to be considered eligible for the Programme.*

Amendment 50

Proposal for a regulation

Article 12 a (new)

Article 12a

Project submission and selection procedures

1. The Programme shall introduce the following procedures for the submission and selection of projects:

(a) a simplified two-stage approach based on the submission and evaluation of a summary, followed by a full proposal for those candidates whose proposals have been pre-selected;

(b) a standard one-stage approach based solely on the submission and evaluation of a full proposal. If the standard approach is chosen in preference to the simplified approach, reasons shall be given for that choice in the work programme, in view of the organisational and operational constraints linked to each sub-programme and, if applicable, to each call for proposals.

2. For the purposes of paragraph 1, a ‘summary’ means a note of no more than 10 pages including a description of the project’s content, the potential partner(s), constraints that are likely to arise and the emergency plan to address them, as well as the strategy selected to ensure the sustainability of the project’s results after it has ended, administrative forms relating to the beneficiaries participating in the project and a detailed project budget.

Amendment 51

**Proposal for a regulation
Article 13**

Award criteria

Award criteria shall be set out in the calls for proposals taking into account the following:

(a) projects financed by the Programme shall **avoid undermining** environmental, climate or relevant clean energy objectives of the Programme and, **where** possible, shall promote the use of green public procurement;

(b) projects that provide co-benefits and promote synergies between the sub-programmes referred to in Article 4 shall be given priority;

(c) projects with the highest potential of being replicated and taken-up by the public or private sector or of mobilising the largest investments or financial resources (catalytic potential) shall **be given priority**;

(d) the replicability of standard action project results shall be ensured;

(e) projects that build on or upscale the results of other projects funded by the Programme, its predecessor programmes or with other Union funds shall benefit from a bonus in their evaluation;

(f) where appropriate, special regard shall be given to projects in geographical areas with specific needs or vulnerabilities, such as areas with specific environmental challenges or natural constraints, trans-border areas or outermost regions.

Award criteria

Award criteria shall be **defined** in the **multiannual work programmes, as set out in Article 17, and in** the calls for proposals taking into account the following:

(a) projects financed by the Programme shall **not undermine** environmental, climate or relevant clean energy objectives of the Programme and, **whenever** possible, shall promote the use of green public procurement;

(aa) projects shall ensure a cost-effective approach and be technically and financially coherent;

(ab) projects with the highest potential contribution for the achievement of the objectives set out in Article 3 shall be given priority;

(b) projects that provide co-benefits and promote synergies between the sub-programmes referred to in Article 4 shall be given priority;

(c) projects with the highest potential of being replicated and taken-up by the public or private sector or of mobilising the largest investments or financial resources (catalytic potential) shall **benefit from a bonus in their evaluation**;

(d) the replicability of standard action project results shall be ensured;

(e) projects that build on or upscale the results of other projects funded by the Programme, its predecessor programmes or with other Union funds shall benefit from a bonus in their evaluation;

(f) where appropriate, special regard shall be given to **the biogeographic balance of projects and** projects in geographical areas with specific needs or vulnerabilities, such as areas with specific environmental challenges or natural constraints, trans-border areas, **areas of high natural value** or outermost regions.

Amendment 52

Proposal for a regulation Article 15 – paragraph 1

Text proposed by the Commission

1. An action that has received a contribution from another Union programme may also receive a contribution under the Programme, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.

Amendment

1. An action that has received a contribution from another Union programme may also receive a contribution under the Programme, provided that the contributions do not cover the same costs. ***In order to be eligible for contributions under the Programme, actions that have been financed by other Union programmes shall have avoided undermining the environmental or climate objectives set out in Article 3.*** The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.

Amendment 53

Proposal for a regulation Article 15 – paragraph 2

Text proposed by the Commission

2. Actions awarded a Seal of Excellence certification, or which comply with the following cumulative, comparative conditions:

- (a) they have been assessed in a call for proposals under the Programme;
- (b) they comply with the minimum quality requirements of that call for proposals;
- (c) they may not be financed under that call for proposals due to budgetary

Amendment

2. Actions awarded a Seal of Excellence certification, or which comply with the following cumulative, comparative conditions:

- (a) they have been assessed in a call for proposals under the Programme;
- (b) they comply with the minimum quality requirements of that call for proposals;
- (c) they may not be financed under that call for proposals due to budgetary

constraints.

may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) XX [Common Provisions Regulation] and Article [8] or Regulation (EU) XX [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.

constraints.

may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) XX [Common Provisions Regulation] and Article [8] or Regulation (EU) XX [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives **and eligibility criteria** of the programme concerned. The rules of the Fund providing support shall apply.

Amendment 54

Proposal for a regulation Article 16 – paragraph 1

Text proposed by the Commission

Blending operations under this Programme shall be implemented in accordance with the [InvestEU Regulation] and Title X of the Financial Regulation.

Amendment

Blending operations under this Programme shall be implemented in accordance with the [InvestEU Regulation] and Title X of the Financial Regulation, **with due regard to sustainability and transparency requirements**.

Amendment 55

Proposal for a regulation Article 17 – title

Text proposed by the Commission

Work programme

Amendment

Multiannual work programme

Amendment 56

Proposal for a regulation
Article 17 – paragraph 1

Text proposed by the Commission

1. The Programme shall be implemented by at least two multiannual work programmes referred to in Article 110 of the Financial Regulation. ***Work programmes shall set out, where applicable, the overall amount reserved for blending operations.***

Amendment

1. The Programme shall be implemented by at least two multiannual work programmes referred to in Article 110 of the Financial Regulation. ***The Commission is empowered to adopt delegated acts in accordance with Article 21 in order to supplement this Regulation by adopting those multiannual work programmes.***

Amendment 57

Proposal for a regulation
Article 17 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission shall ensure that the co-legislators and relevant stakeholders, including civil society organisations, are adequately consulted when the multiannual work programmes are developed.

Amendment 58

Proposal for a regulation
Article 17 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the minimum and the maximum levels for co-financing rates, differentiated amongst the sub-programmes set out in Article 4 and eligible actions set out in Article 10, for which the total maximum co-financing

rates in the first multiannual work programme for the actions referred to in points (a), (b) and (d) of Article 10(2) shall be up to [60%] of eligible costs and [75%] in the case of projects, funded under the sub-programme Nature and Biodiversity, that concern priority habitats or species for the implementation of Directive 92/43/EEC or the species of birds considered as a priority for funding by the Committee for Adaptation to Technical and Scientific Progress, set up pursuant to Article 16 of Directive 2009/147/EC, when necessary to achieve the conservation objective;

Amendment 59

Proposal for a regulation
Article 17 – paragraph 2 – point a b (new)

Text proposed by the Commission

Amendment

(ab) the maximum overall amount reserved for blending operations;

Amendment 60

Proposal for a regulation
Article 17 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) indicative timetables for the calls for proposals for the period covered by the multiannual work programme;

Amendment 61

Proposal for a regulation

Article 17 – paragraph 2 – point d b (new)

Text proposed by the Commission

Amendment

(db) the technical methodology for the project submission and selection procedure and selection and award criteria, set out in Article 13, for grants.

Amendment 62

Proposal for a regulation

Article 17 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The duration of the first multiannual work programme shall be four years and the duration of the second multiannual work programme shall be three years.

Amendment 63

Proposal for a regulation

Article 17 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. The Commission shall ensure that unused funds in a given call for proposals are reallocated between the different types of actions referred to in Article 10(2).

Amendment 64

Proposal for a regulation

Article 17 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. The Commission shall ensure stakeholder consultation in the development of the multiannual work programmes.

Amendment 65

Proposal for a regulation Article 19 – paragraph 1

Text proposed by the Commission

Amendment

1. Evaluations shall be carried out in a timely manner to feed into the decision-making process.

1. Evaluations shall be carried out in a timely manner to feed into the decision-making process ***with due regard to coherence, synergies, Union added value and long-term sustainability, using priorities of the relevant Environment Action Programme.***

Amendment 66

Proposal for a regulation Article 19 – paragraph 2

Text proposed by the Commission

Amendment

2. The interim evaluation of the Programme shall be performed once there is sufficient information available about the implementation of the Programme, but no later than four years after the start of the Programme implementation.

2. The ***mid-term*** evaluation of the Programme shall be performed once there is sufficient information available about the implementation of the Programme, but no later than ***three*** years after the start of the Programme implementation, ***making use of the output and result indicators as set in accordance with Annex II. The evaluation shall, if necessary, be accompanied by a proposal for an amendment of this Regulation.***

The evaluation shall cover at least the following:

- (a) qualitative and quantitative aspects of the implementation of the Programme;*
- (b) efficiency of the use of resources;*
- (c) the degree to which the objectives of all the measures have been achieved, specifying where possible, results and impacts;*
- (d) the actual or expected success of projects in leveraging other Union funds, taking into account, in particular, the benefits of increased coherence with other Union financial instruments;*
- (e) the extent to which synergies between the objectives have been reached and its complementarity with other relevant Union programmes;*
- (f) the Union added value and long-term impact of the Programme, with a view to taking a decision on the renewal, modification or suspension of the measures;*
- (g) the extent to which stakeholders have been involved;*
- (h) a quantitative and qualitative analysis of the contribution of the Programme to the conservation status of habitats and species listed under Directives 92/43/EEC and 2009/147/EC.*

Amendment 67

Proposal for a regulation Article 19 – paragraph 3

Text proposed by the Commission

3. At the end of the implementation of the Programme, but no later than four years after the end of the period specified in the second paragraph of Article 1, a final evaluation of the Programme shall be

Amendment

3. At the end of the implementation of the Programme, but no later than four years after the end of the period specified in the second paragraph of Article 1, a final evaluation of the Programme shall be

carried out by the Commission.

carried out by the Commission ***and be complemented by an external and independent ex-post evaluation report covering the implementation and results of the Programme.***

Amendment 68

Proposal for a regulation Article 19 – paragraph 4

Text proposed by the Commission

4. The Commission shall ***communicate*** the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

Amendment

4. The Commission shall ***submit*** the conclusions of the evaluations accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions ***and the Commission shall make the results of the evaluations publicly available.***

Amendment 69

Proposal for a regulation Article 20 – paragraph 1

Text proposed by the Commission

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding (in particular when promoting the projects and their results), by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.

Amendment

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding (in particular when promoting the projects and their results), by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public. ***For that purpose, the recipients shall use the Programme logo, as depicted in Annex IIa, for all communication activities and that logo shall appear on notice boards visible to the public at strategic places. All durable goods acquired in the framework***

of the Programme shall bear the Programme logo except in cases specified by the Commission.

Amendment 70

Proposal for a regulation Article 23 – paragraph 4

Text proposed by the Commission

4. Reflows from financial instruments established under Regulation (EU) No 1293/2013 *may be invested in the financial instruments established under [InvestEU Fund].*

Amendment

4. Reflows from financial instruments established under Regulation (EU) No 1293/2013 *shall be reallocated between the actions under this Programme.*

Amendment 71

Proposal for a regulation Annex II – point 2 – point 2.1 – indent 3 a (new)

Text proposed by the Commission

Amendment

- *Chemicals*

Amendment 72

Proposal for a regulation Annex II – point 2 – point 2.1 – indent 5 a (new)

Text proposed by the Commission

Amendment

- *Noise*

Amendment 73

Proposal for a regulation

Annex II – point 2 – point 2.1 – indent 5 b (new)

Text proposed by the Commission

Amendment

- ***Resource use and efficiency***

Amendment 74

Proposal for a regulation

Annex II – point 2 – point 2.2 a (new)

Text proposed by the Commission

Amendment

2.2a. Public Awareness

Amendment 75

Proposal for a regulation

Annex II a (new)

Text proposed by the Commission

Amendment

ANNEX IIa

Programme logo

