



## **Manual of European Environmental Policy**

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# LIFE+

<b>Formal references</b>	
Regulation (EC) No <a href="#">614/2007</a> (OJ L149 9.6.2007)	Regulation concerning the Financial Instrument for the Environment ( <a href="#">LIFE+</a> )
Proposed 29.9.2004 – <a href="#">COM(2004)621</a>	
<b>Legal base</b>	Article 192 TFEU (originally Art.175 TEC)
<b>Binding dates</b>	
Effective date	12 June 2007
Mid-term review by Commission to	30 September 2010
European Parliament and LIFE+ Committee	31 December 2012
Final evaluation by Commission	Note: Regulation (EC) No 614/2007 repeals the following instruments: Regulation (EC) No 1655/2000 (LIFE III); Decision 1411/2001/EC (Co-operation Framework for sustainable urban development); Decision 466/2002/EC (Support for environmental NGOs); Regulation (EC) No 2152/2003 (Monitoring of forests).

## Purpose of the Regulation

LIFE+ is the EU's only dedicated environment fund. It aims to contribute to the implementation, updating and development of Community environment policy and legislation, in particular contributing to the integration of the environment into other policies and to sustainable development in the Community. Regulation (EC) No 614/2007 establishes a fourth phase of the LIFE programme for the period 2007–2013. It succeeds LIFE III, which ended on 31 December 2006, and subsumes a number of formerly separate EU programmes supporting, respectively, environmental non-government organizations (NGOs), forest monitoring, sustainable urban development, and environmental programmes in third countries.

## Summary of the Regulation

The Regulation makes available €2.14 billion to co-finance a range of environmental projects over the period 2007–2013. These are focused on three main components:

- LIFE+ Nature and Biodiversity.
- LIFE+ Environment Policy and Governance.
- LIFE+ Information and Communication.

A minimum of 78 per cent of the LIFE+ budget (almost €1.5 billion) is to be spent on projects in the Member States, whereas the remaining 22 per cent is to be spent directly by the European Commission. Of the €1.5 billion for Member State projects, at least 50 per cent is 'ring-fenced' for the Nature and Biodiversity component. Member States and the

Commission are to ensure that at least 15 per cent of project spending is allocated to transnational projects, with partners in more than one Member State. LIFE+ may provide up to 50 per cent of eligible expenditure, or up to 75 per cent in the case of priority habitats and species. Potential beneficiaries may include a wide range of public or private bodies, actors or institutions.

Indicative allocations among the 27 Member States are made on the basis of respective population size and density; the area of Sites of Community Interest (SCIs) under the Habitats Directive [92/43/EEC](#); and the percentage of a Member State's territory occupied by SCIs. Allocations range from €140 million for Spain to €14 million for Cyprus.

For each of the three LIFE+ components, Annex II of the Regulation sets out detailed objectives and priorities in a Multi-annual Strategic Programme for the period 2007–2010. These are summarized in Box 1. A strategic programme for 2011–2013 is to be decided by the LIFE+ Committee.

Annex I lists the types of measures eligible for co-funding. These explicitly exclude routine environmental spending on infrastructure for water or waste management, or on pure research. Rather, LIFE+ focuses on innovative, best practice, or demonstration projects and measures. Campaigns aimed at raising public awareness of, and participation in, EU environment policy are also eligible, as are monitoring and training in relation to forestry and fire prevention. Article 9 states that an application will be ruled out if it falls within the eligibility criteria of, or receives assistance from, another EU funding instrument, such as the Structural Funds and the Rural Development Fund.

## Development of the Regulation

Regulation (EC) No 614/2007 establishes the fourth phase of the LIFE programme, which was launched in 1992 by Regulation (EC) No [1973/92](#). LIFE (*L'instrument Financier pour l'Environnement*) then had a budget of only 400 million ecu for the period 1992–1994, which the Commission estimated was only one-tenth of the Community's overall environment-related expenditure during the period 1988–1993. This was dispersed, or 'mainstreamed', across a variety of other financial instruments, principally the Structural Funds. However, as the Commission pointed out, this expenditure was subordinated to other objectives and constraints (principally geographical) and could not adequately reflect the priorities of Community environmental policy. Subsequent phases of the LIFE programme (LIFE II – 1996–1999; and LIFE III – 2000–2004 (extended to 2006)) progressively made available larger amounts of EU co-funding for a wide range of demonstration projects covering three themes: LIFE Nature, LIFE Environment and LIFE Third Countries. However, the principle that support for the environment should be undertaken through far larger EU funds was maintained, and indeed reinforced in Commission proposals for the EU's Multi-annual Financial Perspective for 2007–2013. Accordingly, the Commission's initial proposal for LIFE+ (COM(2004)621) proposed that most of the spending categories under LIFE III (notably support for nature and biodiversity, environmental technologies and third countries) should be removed and integrated into a range of EU spending programmes under the control of Commission Directorates-General other than DG Environment. In particular, projects related to the management of Natura 2000 sites established in the framework of the Habitats Directive 92/43/EEC would become eligible for co-funding through the [Structural Funds](#) and the [Rural Development Fund](#).

At the same time, to simplify the budgetary process, a number of small, separate environment-related financial instruments managed by DG Environment were rolled into LIFE+, including support for European-level NGOs; sustainable urban development networks; ‘Forest Focus’; and support for environmental infrastructure in Third countries. For the first time, potential projects in these areas would have to compete with one another, rather than having their own dedicated budget.

The Commission proposed that LIFE+ should be focused more sharply on the development, implementation and communication of EU environment policy. It was to have just two components: Implementation and Governance, and Information and Communication. The proposal took the form of a very general framework Regulation, in two senses. Firstly, in contrast to previous LIFE programmes, centralized management by the Commission was to be replaced by the decentralization of at least 80 per cent of the programme to the Member States, which would be required to draw up their own annual work programmes, and establish national implementing agencies. Secondly, most key Decisions concerning future funding priorities and detailed implementation measures were left to be determined by a LIFE+ ‘comitology’ Committee.

The three years of negotiations over the draft Regulation provide a good case study of how the power of the European Parliament has been increased by the co-decision procedure. In its First and Second Readings, the Parliament opposed almost all the principal features of the Commission's proposal. Most importantly, MEPs were sceptical that ‘mainstreaming’ support for the management of Natura 2000 sites through other funds would occur in practice. Consequently, they proposed to reinstate a Nature and Biodiversity component into the programme, and to increase the LIFE+ budget by a factor of ten – to €23 billion over the period 2007–2013. The Implementation and Governance, and Information and Communication strands would as a consequence be dwarfed by the LIFE Nature component. Moreover, MEPs argued that in view of its EU-wide importance, the management of support for Natura 2000 sites should not be decentralized to Member States but should continue to be managed centrally by the Commission.

The Parliament was also concerned that the EU ‘value-added’ of the LIFE programme would be compromised by the devolution to the Member States of 80 per cent of its budget. They therefore proposed that projects should continue to be selected by the Commission and not by the Member States (although their subsequent management would be delegated to national agencies), and demanded that at least 15 per cent of the budget should be ring-fenced for transnational projects involving more than one Member State. In addition, they argued that support for European level environmental NGOs should not be transferred to Member States' programmes, on the grounds that this could compromise their freedom of action and their European focus. MEPs also called for effective coordination mechanisms between LIFE+ and other EU funding instruments, particularly the Structural and Rural Development Funds, to avoid gaps and overlaps in the provision of financial support.

The Council of Ministers supported the reinstatement of a Nature and Biodiversity strand, but opposed the huge increase in the LIFE+ budget, and it remained committed to the decentralization of most of the programme to the Member States. The fundamental differences between the Parliament and the Member States were eventually resolved in a Conciliation Committee in March 2007. Apart from the size of the budget, MEPs won most of their demands. Although 78 per cent of the budget would be available for co-funding projects in the Member States, the LIFE programme would continue to be centrally managed

by the Commission, with no national annual work programmes or National Agencies. There would also be a significant Nature and Biodiversity component, with the ring-fencing of at least 50 per cent of the total budget for this purpose.

## Implementation of the Regulation

Regulation (EC) No 614/2007 establishes an EU financial instrument which enables, but does not require, the participation of individual Member States. National transposing legislation is therefore not required. However, in a number of Member States, new administrative arrangements have been put in place with a view to meeting the requirements of the Commission's initial proposal. For example in the United Kingdom, a LIFE+ Government Working Group (GWG) was established consisting of officials from the Department for Environment Food and Rural Affairs, the devolved administrations, the statutory environment and countryside agencies, and the Forestry Commission.

LIFE+ is managed centrally by the Commission, with the assistance of a LIFE+ Committee (see below) which selects successful projects according to their contribution to EU environmental priorities. The Commission publishes annual calls for project proposals on the LIFE website<sup>1</sup> and in the EU's *Official Journal*. Member States may inform the Commission of their own national annual priorities and comment on the project proposals they forward to the Commission.

A LIFE+ Committee was established in 2007 made up of representatives from the Member States. This comitology committee takes implementing Decisions to assist the Commission according to Article 13 of the LIFE+ Regulation (EC) No 614/2007. This includes determining the content of the monitoring reports from beneficiaries; establishing indicators to monitor LIFE+; amending non-essential elements of the Regulation such as adding measures to Annex 1; laying down methodology for project selection; and deciding upon the list of projects to receive funding.

The Commission's first annual call for LIFE+ proposals was formally published in the *Official Journal* in late September 2007. For this first call under the LIFE+ programme, the Commission received over 700 proposals from public or private bodies from the 27 EU Member States<sup>2</sup>. Overall, €367 million was invested in 143 projects of which the EU provided €186 million. The second call for proposals was published in the *Official Journal* on 15 July 2008 with a maximum available amount of €207.50 million. The European Commission approved funding for 196 new projects under this second call<sup>3</sup>. Overall, they represent a total investment of €431 million, of which the EU will provide €207.5 million. The third call for proposals was published by the Commission in May 2009 with a maximum available amount of €250.00 million. The Commission awarded the full amount of the available funds to 210 new projects, the majority of which focus on nature and biodiversity; in particular 74 projects contributed to the implementation of the [Birds](#) and/or [Habitats](#) Directives and the Natura 2000 network<sup>4</sup>. The fourth, call for proposals was published by the Commission on 4 May 2010. Up to €243 million was available for funding under this call. The fifth, and latest, call was published on 28 February 2011 and has a total budget of €267 for 2011.<sup>5</sup> In July 2011, the Commission approved funding for 183 projects under LIFE+, totalling €244 million. The thematic component Life Nature and Biodiversity will receive €125 million (64 projects), LIFE+ Environment and Policy will receive €109 million (104 projects) and LIFE+ Information and Communication will receive €10 million (15 projects).<sup>6</sup>

On 30 September 2010, the European Commission published a mid-term review of the LIFE+ Regulation<sup>7</sup>. As the first LIFE+ projects started in January 2009 the evaluation could not assess their actual results and therefore focused on the effectiveness of the mechanisms put in place to deliver the funding. The evaluation, carried out by external consultants, resulted in a number of recommendations calling on the Commission to, among other things, increase its co-financing rates and to enhance the complementarity of LIFE+ with other EU funding instruments. The Commission stressed that it would take all the necessary steps to overcome the most pressing issues but that several of the major recommendations (including increasing co-financing) could not be implemented without amending the LIFE+ Regulation. The overall conclusion of the review was that a specific funding instrument for the environment such as LIFE+ was still relevant and was even more needed, given the failure to meet the EU's 2010 biodiversity target.

## Enforcement and court cases

No infringement cases have so far reached the European Court of Justice, though there are a small number from previous versions of the Fund, that is LIFE III (Regulation (EC) No 1655/2000). This is because the first projects were not selected until the summer of 2008 and therefore are still being implemented. In addition, Member States are not obliged to implement any LIFE+ projects.

## Further developments

The current LIFE+ instrument will expire in 2013. Therefore, the Commission has started an impact assessment of possible options and their environmental, social and economic impacts for the review of the Regulation. As part of the wider consultation process to inform the impact assessment, the Commission launched a public consultation process that ran until 15 February 2011. Its aim was to gather views on the objectives, activities and support modalities of a future financing instrument for the environment, by seeking views on key issues such as the *design of the future instrument; areas and types of interventions; co-financing rates* and rates for operating grants; and *visibility of results*. The results of the impact assessment informed the legislative proposal on the post-2013 LIFE instrument.

The Commission published its proposals on the [2014-2020 Multi-annual Financial Framework](#) on 29 June 2011 ([COM\(2011\)500](#)) which established that the future LIFE instrument will be comprised of two components - an environmental component with a budget of €2.4 billion and a new climate change component with a total budget of €800 million (i.e. the total budget would be €3.2 billion compared to the €2.14 billion for the 2007-2013 period). The details of the future instrument were further presented by the Commission in December 2011. The draft Regulation on the 2014-2020 LIFE instrument sets out the modalities of both components.<sup>8</sup> The sub-programme environment includes the priority areas 'Environment and Resource Efficiency', 'Biodiversity' and 'Environmental Governance and Information'. The latter replaces the LIFE+ topic on 'Information and Communication', with a shift in focus to more actively promoting the dissemination of knowledge for decision-making, in addition to awareness raising campaigns. The proposal recognises the importance of funding biodiversity, by including the requirement that at least 50 per cent of the resources provided to projects by action grants should be dedicated to supporting biodiversity and nature conservation. The new climate change component includes the three specific priority areas 'Climate Change Mitigation', 'Climate Change

Adaptation’ and ‘Climate Governance and Information’. Specific objectives have been outlined for each of the three areas, which with regard to mitigation should particularly contribute to greenhouse gas monitoring and reporting; policies relating to land use, land use change and forestry (LULUCF), emissions trading systems, renewable energy, energy efficiency, transport and fuels amongst others. Additional key changes include the promotion of ‘integrated projects’ to support examples of how to coordinate EU funding on environment and climate action; enlarging the programme’s territorial scope; the possibility to use LIFE for innovative financial instruments; and simplification measures with likely impacts on beneficiaries.

The proposed Regulation will now undergo scrutiny by the Council and the European Parliament. Delegated acts by the Commission are expected to be released on issues such as specifying eligibility criteria for project selection, criteria for the application of geographical balance to Integrated Projects, and performance indicators applicable to specific thematic priorities.

## Related legislation

LIFE+ can be used to assist in the implementation of a range of EU environmental legislation (see [Box 1](#)). These include the following:

- Structural Funds Regulation (EC) No [1083/2006](#).
- Habitats Directive [92/43/EEC](#).
- European Rural Development Fund Regulation (EC) No [1698/2005](#).
- Floods Directive [2007/60/EC](#).
- Birds Directive [79/409/EEC](#).
- Water Framework Directive [2000/60/EC](#).

There is also an obvious need for effective coordination between LIFE+ and other EU funding instruments.

### **Box 1. Summary of the Life+ Multi-annual Strategic Programme 2007–2010**

#### ***Nature and Biodiversity***

The aim of this component is to protect, conserve, restore, monitor and facilitate the functioning of natural systems, natural habitats, wild flora and fauna, with the objective of halting the loss of biodiversity and genetic resources within the EU by 2010.

#### ***Priorities:***

- Implementation of the Habitats Directive 92/43/EEC and Birds Directive 79/409/EEC;
- Further development and implementation of the Natura 2000 network;
- Approaches and instruments for monitoring and assessing nature and biodiversity and the pressures on it;
- Improving knowledge of the impact of GMOs on ecosystems and biodiversity.

## ***Environment Policy and Governance***

This component covers a wide range of environmental issues and media, and the development of effective policy responses.

### *Priorities:*

- *Climate change:* stabilizing greenhouse gas concentration to prevent global warming exceeding 2°C, through:
  - implementation of the Kyoto Protocol and developing a post-2012 strategy and implementation programme;
  - adaptation to climate change;
  - market-based instruments for cost-effective emissions reduction.
- *Water:*
  - developing cost-effective measures to achieve good ecological status under the Water Framework Directive 2000/60/EC by 2009;
  - the implementation of the EU Marine Thematic Strategy and the Floods Directive 2007/60/EC.
- *Air, soil, urban environment:*
  - contributing to the implementation of the respective Thematic Strategies.
- *Noise:*
  - to prevent and reduce harmful effects from exposure to environmental noise.
- *Chemicals:*
  - the implementation of the REACH Regulation (EC) 1970/2006 and the Thematic Strategy on the sustainable use of pesticides.
- *Environmental health.*
- *Waste and natural resources:*
  - developing and implementing sustainable consumption and production policies, and the implementation of EU legislation on waste.
- *Forests:*
  - promoting the collection, analysis and dissemination of policy-relevant information concerning forests and their environmental interactions.
- *Environmental technologies:*
  - assisting in the implementation of the Environmental Technologies Action Plan (ETAP), and the Competitiveness and Innovation Programme (CIP).
- *Strategic policy approaches:*
  - promoting effective implementation and enforcement of EU environment legislation; impact assessment;
  - implementation and *ex-post* evaluation;
  - implementing the compliance assistance programme for small- and medium-sized enterprises;
  - increased public awareness, broadening stakeholder involvement;
  - supporting European-level environmental NGOs.

## ***Information and Communication***

### *Priority:*

Ensuring regular two-way information flows between citizens and the EU on the state and trends in the environment to provide the basis for improved policy Decisions.



## References

- 1 CEC (2009) *LIFE+*, European Commission website, [<http://ec.europa.eu/environment/life/funding/lifeplus.htm>].
- 2 CEC (2008) *Commission Approves €186 Million for 143 New LIFE+ Projects*, European Commission Press release, IP/08/1588. Brussels, [<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/1588&format=HTML&aged=0&language=EN&guiLanguage=en>], 27.10.2008.
- 3 CEC (2009) *Commission to Provide €200 Million for Nearly 200 New LIFE+ Projects*, European Commission Press release, IP/09/1646, Brussels, [<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/1646&format=HTML&aged=0&language=EN&guiLanguage=en>], 29.10.2009.
- 4 European Commission, LIFE+ Nature and Biodiversity Project 2009, [http://ec.europa.eu/environment/life/publications/lifepublications/compilations/documents/nat\\_compilation09.pdf](http://ec.europa.eu/environment/life/publications/lifepublications/compilations/documents/nat_compilation09.pdf)
- 5 European Commission, LIFE+ Call for proposals <http://ec.europa.eu/environment/life/funding/lifeplus.htm>
- 6 European Commission Press Release (2011), Commission to provide €244 million for 183 new environment projects, 19 July 2011 <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/902&format=HTML&aged=0&language=EN&guiLanguage=en>
- 7 European Commission, Mid-term review of the LIFE+ Regulation, COM(2010)516 Final, Brussels, 30/09/2010, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0516:FIN:EN:PDF>
- 8 European Commission (2011). Proposal for a Regulation of the European Parliament and of the Council on the establishment of a Programme for the Environment and Climate Action (LIFE), [http://ec.europa.eu/environment/life/about/documents/life\\_regulation\\_en.pdf](http://ec.europa.eu/environment/life/about/documents/life_regulation_en.pdf)