



2025/2584(RSP)

12.03.2025

DRAFT MOTION FOR A RESOLUTION

pursuant to Rule 115(2) and (3) of the Rules of Procedure

on the draft Commission implementing decision on the financing of the LIFE programme and the adoption of the work programme for the years 2025, 2026 and 2027, and in particular Annex I thereto

(D103679/01 – O105363/01 – 2025/2584(RSP))

Committee on the Environment, Climate and Food Safety

Members responsible: Sander Smit and Pietro Fiocchi

European Parliament resolution on the draft Commission implementing decision on the financing of the LIFE programme and the adoption of the work programme for the years 2025, 2026 and 2027, and in particular Annex I thereto (D103679/01 – O105363/01 (2025/2584(RSP)))

The European Parliament,

- having regard to the draft Commission implementing decision on the financing of the LIFE programme and the adoption of the work programme for the years 2025, 2026 and 2027 – O105363/01, and in particular Annex I thereto (D103679/01),
 - having regard to Regulation (EU) 2021/783 of the European Parliament and of the Council of 29 April 2021 establishing a Programme for the Environment and Climate Action (LIFE), and repealing Regulation (EU) No 1293/2013¹, and in particular Article 18(1) thereof,
 - having regard to the opinion delivered on 18 September 2024 by the committee referred to in Article 22 of Regulation (EU) 2021/783,
 - having regard to Article 11 of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers²,
 - having regard to Rule 115(2) and (3) of its Rules of Procedure,
 - having regard to the motion for a resolution of the Committee on the Environment, Climate and Food Safety,
- A. whereas Article 18(1) of Regulation (EU) 2021/783 mandates the Commission to adopt two multiannual work programmes for the LIFE Programme; whereas the duration of the first multiannual work programme is four years (2021-2024) (‘MAWP 2021-2024’) and the duration of the second multiannual work programme is three years (2025-2027) (‘MAWP 2025-2027’);
- B. whereas the European Parliament fully supports the objectives of Regulation (EU) 2021/783; whereas this objection does not seek to undermine either the current or previous LIFE work programmes; whereas critical procedural errors must nevertheless be addressed (**Section I**);
- C. whereas the primary objective of this resolution is to uphold the *Trias Politica*, otherwise known as the separation of powers; whereas lobby activities directed at Members of the European Parliament risk undermining the institutional balance as envisaged under the Treaties (**Section II**);
- D. whereas the MAWP 2021-2024 failed to provide adequate safeguards to uphold the

¹ OJ L 172, 17.5.2021, p. 53, ELI: <http://data.europa.eu/eli/reg/2021/783/oj>.

² OJ L 55, 28.2.2011, p. 13, ELI: <http://data.europa.eu/eli/reg/2011/182/oj>.

institutional balance in the Union by allowing the targeted lobbying of Members of the European Parliament on instruction of the Commission; whereas a revision of the proposed work programme for 2025-2027 to include such safeguards is therefore warranted (**Section III**);

- E. whereas Regulation (EU) 2021/783 is intended to promote real-life solutions to balance human activity and nature; whereas, in practice, a disproportionate share of the budget is allocated to information and communication actions, the impact of which is difficult to quantify (**Section IV**);
- F. whereas the MAWP 2025-2027 inadequately integrates the award criteria which Article 14 of Regulation (EU) 2021/783 explicitly mandates to be included and elaborated upon in the work programmes under that Regulation (**Section V**);
- G. whereas the Commission also failed to establish the monitoring and evaluation framework in accordance with Articles 19 and 23 of Regulation (EU) 2021/783 in the form of a delegated act, thereby depriving the European Parliament of its right to regulatory scrutiny (**Section VI**);
- H. whereas the Commission's monitoring and evaluation framework does not assess cost-effectiveness, leaving the MAWP 2025-2027 without a mechanism to evaluate financial prudence of funding under the LIFE-programme (**Section VII**);
- I. whereas, finally, the Commission failed to finalise its evaluation framework in a timely manner, thereby depriving the LIFE Committee and the European Parliament of necessary information to assess the MAWP 2025-2027 (**Section VIII**);

I. Critical procedural concerns

MAWP 2021-2024

- J. whereas implementing acts must be published in the *Official Journal of the European Union*, as required under Article 297 of the Treaty on the Functioning of the European Union (TFEU); whereas the MAWP 2021-2024 (Commission Implementing Decision C(2021)4997) was not published in the *Official Journal of the European Union*, nor were subsequent amendments published, raising concerns about the legal validity of MAWP 2021-2024;
- K. whereas non-compliance of Regulation (EU) 2021/783 with Article 297 TFEU would affect MAWP 2025-2027; whereas the potential procedural errors made under MAWP 2021-2024 are to be considered relevant in the context of this objection;

MAWP 2025-2027

- L. whereas multiannual work programmes for the LIFE Programme (MAWP) must be adopted by means of an implementing act in accordance with the examination procedure set out in Article 5 of Regulation (EU) No 182/2011; whereas the LIFE Committee voted

on document D103679/01, containing the MAWP 2025-2027, on 18 September 2024³; whereas, however, document D103679/01 itself is dated 10 January 2025⁴, raising concerns about its procedural consistency;

- M. whereas document D103679/01 is an annex to document O105363/01⁵ and does not, by itself, constitute an implementing decision; whereas, in spite of this, the LIFE Committee voted on it as a stand-alone document, raising concerns about whether the examination procedure under Article 5 of Regulation (EU) No 182/2011 was properly followed;

II. Separation of Powers - Article 13(2) Treaty on European Union (TEU)

- N. whereas Article 13(1) TEU establishes the institutional framework of the Union, designating the European Parliament and the Council as the legislative branch, the Commission as the executive branch, and the Court of Justice as the judicial branch; whereas Article 13(2) TEU mandates that ‘each institution shall act within the limits of the powers conferred on it in the Treaties’ and in ‘mutual sincere cooperation’;
- O. whereas the principle of the separation of powers, as enshrined in Article 13 TEU, constitutes a cornerstone of the European legal order; whereas upholding that principle is essential to safeguarding the Union’s democratic framework and the rule of law;
- P. whereas academic scholars have observed a decline in the practical application of the *Trias Politica* in the Union due to the increasing politicisation of the Commission⁶; whereas particular concern has been raised regarding the Commission’s growing role in shaping public opinion through information campaigns⁷;
- Q. whereas use of public funds to support the development of new legislation and communication efforts via NGOs under Regulation (EU) 2021/783 should be considered within that broader context - *without prejudice* to the financing of NGOs to promote a pluralistic and dynamic society, and fosters independent and constructive engagement in line with Article 3 of Regulation (EU) 2021/783.
- R. whereas similar risks may arise under Regulation (EU) 2021/783 in relation to the judicial branch when direct grants are awarded to an association of environmentally focused judges⁸, prosecutors⁹ and environmental agencies¹⁰; whereas those risks are

³ Formal results of voting on Multiannual work programme for the implementation of the LIFE Programme for the years 2025-2027 ([Link](#)).

⁴ 7th meeting of the LIFE programme committee (C78400) on Wednesday 18 September 2024 D103679/01 - (Draft Implementing Act) in dossier CMTD(2024)2389 - Date: 10 January 2025 ([Link](#)).

⁵ Idem. O105363/01 - (Other Document) in dossier CMTD(2024)2389 - Date: 18 February 2025 ([Link](#)).

⁶ Hartlapp, M., ‘Politicization of the European Commission: When, How, and with What Impact?’. In: Bauer, M.W., Trondal, J. (eds) ‘The Palgrave Handbook of the European Administrative System’, European Administrative Governance, Palgrave Macmillan, London (2015), https://doi.org/10.1057/9781137339898_9.

⁷ Shore, C., ‘European Governance’ or Governmentality? The European Commission and the Future of Democratic Government’, *European Law Journal*, 2011, Volume 17(3), pp. 287–303.

⁸ European Union Forum of Judges for the Environment (EUFJE)

⁹ European Network of Prosecutors for the Environment (ENPE)

¹⁰ European Union Network for the Implementation and Enforcement of Environmental Law

heightened where these groups engage in collaborative initiatives¹¹;

- S. whereas, whenever one of the branches undertakes activities that may jeopardise that separation of powers, it must adopt sufficient mitigating measures to prevent even the appearance of disrupting that balance; whereas that whereas, such measures are not only necessary to uphold the technical integrity of the *Trias Politica*, but also to build trust among stakeholders and the general public¹²;
- T. whereas it falls within the responsibility of the Commission, pursuant to its obligations under Article 13 TEU and, in particular, its duty of mutual sincere cooperation with the European Parliament, to prevent the risk of a breach of the separation of powers under MAWP 2025-2027;

III. Transparency and organisational requirements - Article 13(2) TEU

- U. whereas the duty to prevent a breach of the separation of powers, or the appearance thereof, entails an obligation to integrate sufficient safeguards into the MAWP 2025-2027 to prevent future targeting of Members of Parliament by NGOs on the instruction of the Commission; whereas the MAWP 2025-2027 fails to integrate the necessary safeguards; whereas the Commission therefore exceeds its powers, thereby providing grounds for this objection to the MAWP 2025-2027;

Full disclosure for operating grants

- V. whereas Article 11(6) of Regulation (EU) 2021/783 allows the award of operating grants to NGOs involved in the development, implementation, monitoring and enforcement of Union legislation and policy; whereas recital 23 of that Regulation emphasises that such grants be awarded in a competitive and transparent manner;
- W. whereas, according to Article 160 of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council¹³, ‘all contracts financed in whole or in part by the budget shall respect the principles of transparency, proportionality, equal treatment, and non-discrimination’;
- X. whereas, in practice, operating grants under the MAWP 2025-2027 are conditional upon compliance with pre-agreed ‘work packages’; whereas those packages have a legally binding character; whereas those work packages lack transparency, preventing the verification that grants have been awarded in a competitive and transparent manner;
- Y. whereas the MAWP 2025-2027 also allows for operating grants to be awarded through framework agreements with NGOs; whereas those framework agreements are not made

¹¹ https://www.eufje.org/index.php?option=com_content&view=article&id=65&Itemid=256&lang=en

¹² European Commission, *Commission Staff Working Document - Monitoring & Evaluation Framework for the Programme for the Environment and Climate Action (LIFE) under the Multiannual Framework 2021-27*, March 2024 ([link](#))

¹³ Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (OJ L, 2024/2509, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>).

public, further undermining transparency and accountability in the allocation of funds;

- Z. whereas both the ‘work packages’ and framework agreements lack transparency, preventing the verification that grants have been awarded in a competitive and transparent manner; whereas such a lack of transparency enables the Commission to exercise financial leverage over NGOs, potentially influencing their activities;
- AA. whereas the Committee on Budgetary Control of the European Parliament has therefore requested in an official letter to the Commissioner for Budget, Anti-Fraud and Public Administration that it receive a list, in digital format, of all the grant agreements with all beneficiaries, that are in force in 2023;
- AB. whereas the Commission must uphold its role as an honest broker between institutions; whereas the Commission should actively advocate for and ensure a clear separation of executive and legislative powers; whereas that risk can only be mitigated by establishing clear and publicly transparency requirements;

Transparency requirements for NGOs

- AC. whereas the Court of Auditors, in its Special Report 05/2024 on the EU Transparency Register, criticised that 34 % of NGOs (1 207 NGOs) listed in the register failed to disclose their funding sources; whereas the allocation of European grants to NGOs that conceal their funding sources or have hidden interests may cause undue influence to persist;
- AD. whereas that lack of transparency risk to undermine the integrity of Union funding and the separation of powers; whereas this can only be mitigated by requiring full transparency as a prerequisite for LIFE Programme funding; whereas the Commission has failed to include in the MAWP 2025-2027 a clear requirement that NGOs receiving LIFE Programme funding must disclose their main financial sources and donors in the EU Transparency Register;

Organisational requirements in relation to the European Climate, Infrastructure and Environment Executive Agency (CINEA) and Directorate-General for Environment (DG ENV)

- AE. whereas under the MAWP 2025-2027 the Commission has failed to provide a transparent procedure or comply with the publication requirement in respect of the selection of evaluation committee members by (CINEA and DG ENV, thereby failing to ensure that the committee is independent and free from conflicts of interest, and furthermore jeopardising the integrity of the decision-making process and the separation of powers;
- AF. whereas a memorandum of understanding exists between CINEA and DG ENV, establishing their shared responsibility for the content of contracts; whereas that memorandum contains ambiguities and should be revised to provide a clearer division of responsibilities;

IV. Funding and allocation (Article 18 - Regulation (EU) 2021/783)

- AG. whereas the objectives set out in Article 3(a) of Regulation (EU) 2021/783 (development, demonstration, and promotion of innovative techniques) and Article 3(c) of Regulation

(EU) 2021/783 (projects that can serve as catalysts for large-scale deployment) allow for objective and measurable targets;

- AH. whereas this is to a significantly lesser extent the case for projects under Article 3(b) (supporting the development, implementation, monitoring, and enforcement of Union legislation and policy); whereas nonetheless a substantial of the LIFE programmes budget is allocated primarily to this objective;
- AI. whereas it is essential to establish stricter criteria for these projects to ensure greater transparency and accountability in their concrete outcomes; whereas this is necessary for the European Parliament to verify that funds are allocated strictly in line with the objectives of the LIFE Regulation;
- AJ. whereas this is further required to guarantee that EU funds are disbursed in full compliance with the principles of sound financial management, as enshrined in Article 317 TFEU, ensuring their efficient, effective, and transparent use in accordance with the highest standards of accountability;
- AK. whereas, more broadly, the balance between the objectives set out in Article 3(a), (b), and (c) of the LIFE Regulation must be maintained; Whereas this balance is notably lacking in the "Clean Energy Transition" sub-programme as 90% of the budget is reserved for "non-technological barriers to the energy transition" rather than for technological development or demonstration projects;
- AL. whereas, for this reason, it would be appropriate to clarify why certain objectives are prioritized under a given programme while others are excluded, with explicit reference to market needs and government requirements; Whereas such an approach would help align funding with real-world demand while simultaneously ensuring compliance with the principles of sound financial management.

V. Missing award criteria (Article 14 - Regulation (EU) 2021/783)

- AM. whereas, pursuant to Article 14, point (b) of Regulation (EU) 2021/783, the MAWP is to take into account the principle that award criteria ensure that projects have a cost-effective approach and technically and financially coherent; whereas the term 'cost-effective approach' or 'cost-effectiveness' or similar is, however, not referred to in the award criteria sections of the MAWP 2025-2027; whereas the term is also missing in the monitoring and evaluation programme¹⁴;
- AN. whereas, pursuant to Article 14, point (c), of Regulation (EU) 2021/783 the MAWP is to take into account the principle that award criteria ensure that projects with the highest potential for contributing to the achievement of the objectives set out in Article 3 of that Regulation are to be given priority; whereas those priority criteria are correctly applied for 'projects' but different priority criteria for the proposals by NGOs;
- AO. whereas, pursuant to Article 14, point (f), of Regulation (EU) 2021/783 the MAWP is to take into account the principle that award criteria ensures the replicability of the results

¹⁴ Refer to: Section VII

of standard action projects; whereas the MAWP 2025-2027 dilutes this criterion by only requiring the ‘potential for the project results to be replicated’; whereas the MAWP 2025-2027 does not provide a definition of replicability; whereas this compromises the objectives set out in Article 3 of Regulation (EU) 2021/783;

VI. European Parliament sidelined (Article 19 - Regulation (EU) 2021/783)

- AP. whereas, pursuant to Article 19 of Regulation (EU) 2021/783, the Commission is required to report on the progress of the LIFE Programme in achieving the objectives set out in Article 3 of that Regulation, based on the indicators established in Annex II thereto; whereas reporting along these criteria is currently conducted through annual Programme Performance Statements¹⁵ and the Annual Management and Performance Report¹⁶;
- AQ. whereas the Commission is empowered to amend the indicators of Annex II to Regulation (EU) 2021/783 and to supplement that Regulation with a robust monitoring and evaluation framework; whereas that power is to be carried out by way of a delegated act in accordance with Article 23 of that Regulation; whereas the Commission published a monitoring and evaluation framework without following the delegated act procedure;
- AR. whereas the European Parliament is prevented from exercising its democratic right to lodge an objection pursuant to Article 23(6) of Regulation (EU) 2021/783; whereas this would constitute a breach of institutional balance in itself; whereas, in light of recent reports concerning lobbying activities commissioned by the Commission through NGOs, the European Parliament’s involvement has become urgently necessary;

VII. No controls on cost-effectiveness (Article 19 - Regulation (EU) 2021/783)

- AS. whereas the Commission recognises that information about performance on the LIFE programme is essential to ensure transparency and accountability¹⁷; whereas the Commission recognises that it is important to be able to demonstrate how Union money spent under the LIFE programme addresses the climate and environmental challenges¹⁸;
- AT. whereas the Commission recognises that it is important to deliver the expected results on the ground and to bring tangible benefits¹⁹; whereas the Commission recognises that this is not only for accountability and transparency, but also for building trust with stakeholders and the general public²⁰;
- AU. whereas the monitoring and evaluation framework nonetheless only refers to ‘costs’ in relation to ‘health and biodiversity costs’, ‘environmental costs’ and the ‘costs of preserving a healthy nature and good environment’; whereas the term ‘cost-effectiveness’ is referred to only once in relation to attaining synergies with other Union programmes;
- AV. whereas the ‘cost-benefit relation’ of projects or the ‘cost-effectiveness’ of projects or

¹⁵ <https://commission.europa.eu/strategy-and-policy/eu-budget/performance-and-reporting/programme-performance-statements/life-performance> _

¹⁶ European Commission, MFF Performance Results Reports, Draft Budget 2025 ([link](#))

¹⁷ Idem. p 2

¹⁸ Idem. p 2

¹⁹ Idem. p 2

²⁰ Idem. p 2

monetary costs in general do not seem to part of the assessment framework of the monitoring and evaluation framework; whereas, as a result, cost-effectiveness of projects under the LIFE Programme is currently not adequately safeguarded²¹;

AW. whereas Article 19 of Regulation (EU) 2021/783 is therefore deemed relevant in the context of this objection; whereas there is currently insufficient pre- or post-expenditure oversight to ensure the prudent and cost-effective use of LIFE funds;

VIII. Overdue midterm evaluation (Article 20 - Regulation (EU) 2021/783)

AX. whereas, pursuant to Article 20 of Regulation (EU) 2021/783, the Commission is to carry out evaluations in a timely manner to feed into the decision-making process; whereas the evaluation should measure the MAWP's effects against the indicators set out in Annex II to Regulation (EU) 2021/783, including analysis of the programme's relevance, effectiveness, efficiency, added value for the Union²²;

AY. whereas the midterm evaluation serves the aim of recommending adjustments to the way the programme is designed and run under MAWP 2021-2024; whereas the goal of that midterm evaluation would therefore be to improve the MAWP 2025-2027²³; whereas the midterm evaluation is particular relevant in the light of recent reports concerning lobbying activities conducted by NGOs;

AZ. whereas the midterm evaluation, pursuant Article 20 of Regulation (EU) 2021/783, is to be performed no later than 42 months after the start of implementation of the LIFE programme; whereas Regulation (EU) 2021/783 applies from 1 January 2021; whereas the evaluation has thus not been finalised within the time limits set out in Article 20 of Regulation (EU) 2021/783;

BA. whereas the 'call for evidence' in preparation of the evaluation started in August 2023 and ended in the second half of September 2023; whereas the evaluation was not finalised at the time of voting on MAWP 2025-2027 by the LIFE Committee; whereas the LIFE Committee was not able to assess the proposal on the basis of information mandated under Regulation (EU) 2021/783;

BB. whereas the evaluation was finalised after the expiry of the period intended to allow the European Parliament to scrutinise implementing acts; whereas the European Parliament was therefore not able to assess if the Commission had adequately addressed findings in the MAWP 2025-2027 in accordance with Article 20 of Regulation (EU) 2021/783;

BC. whereas non-compliance with Article 20 of Regulation (EU) 2021/783 effectively results in an information deficit, hindering the European Parliament's ability to carry out its oversight duties effectively under the examination procedure;

²¹ Refer to: Section V

²² Commission Staff Working Document Impact Assessment - Accompanying the document 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) and repealing Regulation (EU) No 1293/2013 SWD(2018) 292 final; p.

²³ European Commission. (2023). Call for evidence for an evaluation: LIFE programme 2021–2027 (midterm evaluation). [[Ref. Ares\(2023\)5317758 – 01/08/2023](#)].

1. Considers that the draft Commission implementing decision exceeds the implementing powers provided for in the LIFE Regulation;
2. Considers that the MAWP 2025-2027 may not have been voted on correctly by the LIFE Committee, creating a risk of procedural invalidity;
3. Considers that the MAWP 2025-2027 lacks adequate safeguards to prevent violations of the principle of separation of powers in the awarding of grants to NGOs and to avoid lobbying activities towards Members of the European Parliament
4. Considers that the MAWP 2025-2027 fails to establish sufficient criteria to ensure compliance with the principles of prudent financial management and goals under Article 3 of the LIFE Regulation;
5. Considers that the monitoring and evaluation framework as is has not been established in accordance with the LIFE Regulation, withholding the European Parliament to exercise its powers under the procedure for regulatory scrutiny;
6. Considers that the evaluation process under the MAWP 2025-2027 does not comply with the timelines set by the LIFE Regulation, thereby compromising both the validity of the LIFE Committee's vote as well as European Parliament's right of scrutiny.
7. Calls on the Commission to withdraw its draft implementing decision and to submit a new draft to the committee;
8. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.