



EUROPEAN PARLIAMENT

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Committee on the Environment, Public Health and Food Safety

2011/0276(COD)

27.8.2012

OPINION

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Regional Development

on the proposal for a regulation of the European Parliament and of the Council laying down common provisions on 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 covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Council Regulation (EC) No 1083/2006
(COM(2011)0615 – C7-0335/2011 – 2011/0276(COD))

Rapporteur: Sophie Auconie

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SHORT JUSTIFICATION

The European funds for cohesion policy, for the common agricultural policy and for the common fisheries policy provide considerable leverage for sustainable territorial development. More than ever, political and economic actors and voluntary organisations in the regions need those funds in order to carry out specific and useful projects of benefit to European citizens, but also, in very many instances, to the environment.

The European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund, the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF) are all covered by the Common Strategic Framework (CSF) to be introduced by this regulation.

The common provisions for the CSF Funds must meet three main objectives:

- (1) focusing how the European funds are used on the major challenges facing Europe in order to achieve tangible and visible results (Europe 2020 strategy);
- (2) simplifying funding application procedures in order to make the funds genuinely 'accessible' to potential beneficiaries;
- (3) ensuring rigorous management of aid in order to make the best possible use of what is public money from the EU budget.

In this connection, your rapporteur commends the quality and ambition of the Commission's legislative proposal. While agreeing with the broad thrust, however, she considers that it should be amended, in particular to bolster its positive impact on sustainable territorial development.

Your rapporteur has worked on implementing cohesion policy in her region, Touraine, in the heart of France, and therefore is aware that that policy has strengths and weaknesses. That experience on the ground, together with her parliamentary experience as a member of the Committee on Regional Development (2009-2011), leads her to make the following assessment:

(1) Sustainable development must be bolstered

Article 8 of the proposal for a regulation makes sustainable development a cross-cutting objective to be promoted by the Commission and the Member States in policy implementation. This must be bolstered by incorporating the need to protect biodiversity and ecosystems; those two notions must also be incorporated into the thematic objectives.

In connection with Article 8, national environmental protection bodies should also deliver opinions on each proposal for operational programmes submitted to the Commission for approval.

(2) The funds must be more accessible, visible and transparent

Making the funds more accessible, visible and transparent would appear essential so that environmental projects can be properly carried out.

Accessibility of the European funds depends to a large extent on making them less complex. The regulation's provisions therefore need to be clear and easy to apply. Accordingly, the conditions for carrying out revenue-generating operations should be spelled out. In addition, checks on how the funds are used must be proportionate to the level of support allocated, but also to the risks established during implementation. The fact is that increasing the number of checks, which, in too many cases, are redundant, makes procedures more complex and slows them down, which disadvantages beneficiaries. It should be pointed out, lastly, that implementation of the electronic data exchange system (the 'e-Cohesion' project) will meet the twin requirement of simplification and environmental protection (reduction in the volume of paper documents).

Visibility must be enhanced: firstly by laying down a communication strategy in the Partnership Contracts, and secondly by building detailed information websites. Those websites must set out the conditions for using the CSF Funds as they apply to each operational programme.

Transparency must be improved through increased involvement of MEPs, who are now co-legislators, in the operation of the CSF Funds.

Recommendations

Taken as a whole, the amendments should improve use of the CSF Funds and their effectiveness. As they are already very often regarded as complex to use, the rapporteur is unwilling to go beyond the amendments set out in this opinion, given that adding any further provisions, rules or environmental objectives could well make this policy area more complex.

The task of MEPs is not confined to this legislative work, however essential it may be. Your rapporteur recommends that MEPs be very much involved in implementing the provisions themselves. She calls on them to participate in the monitoring committee meetings which will be taking place throughout the seven-year programming period from 2014 to 2020.

AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Regional Development, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation Recital 6

Text proposed by the Commission

(6) To ensure correct and consistent interpretation of provisions and to contribute to the legal certainty of Member States and beneficiaries, it is necessary to define certain terms that are used in the Regulation.

Amendment

(6) To ensure correct and consistent interpretation of provisions and to contribute to the legal certainty of Member States and beneficiaries, it is necessary to define certain terms that are used in the Regulation ***and to simplify the provisions applicable to the CSF Funds.***

Amendment 2

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) Under Article 317 of the Treaty, and in the context of shared management, the conditions allowing the Commission to exercise its responsibilities for implementation of the general budget of the European Union should be specified and the responsibilities of cooperation by the Member States clarified. Those conditions should enable the Commission to obtain assurance that Member States are using the CSF Funds in a legal and regular manner and in accordance with the principle of sound financial management within the meaning of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities. Member States and the bodies designated by them for that purpose should be responsible for implementing programmes at the appropriate territorial level, in accordance with the institutional, legal and financial framework of the Member State. These provisions ***also ensure that attention is***

Amendment

(8) Under Article 317 of the Treaty, and in the context of shared management, the conditions allowing the Commission to exercise its responsibilities for implementation of the general budget of the European Union should be specified and the responsibilities of cooperation by the Member States clarified. Those conditions should enable the Commission to obtain assurance that Member States are using the CSF Funds in a legal and regular manner and in accordance with the principle of sound financial management within the meaning of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities. Member States and the bodies designated by them for that purpose should be responsible for implementing programmes at the appropriate territorial level, in accordance with the institutional, legal and financial framework of the Member State. These provisions ***should*** ensure complementarity

drawn to the need to ensure complementarity and consistency of Union intervention, the proportionality of administrative arrangements and a reduction of the administrative burden of beneficiaries of the CSF Funds.

and consistency of Union intervention, the proportionality of administrative arrangements and a reduction of the administrative burden of beneficiaries of the CSF Funds.

Amendment 3

Proposal for a regulation Recital 14

Text proposed by the Commission

(14) The Commission should ***adopt by delegated act*** a Common Strategic Framework which translates the objectives of the Union into key actions for the CSF Funds, in order to provide clearer strategic direction to the programming process at the level of Member States and regions. The Common Strategic Framework should facilitate sectoral and territorial coordination of Union intervention under the CSF Funds and with other relevant Union policies and instruments.

Amendment

(14) The Commission should ***submit a legislative proposal to the European Parliament and the Council with a view to adoption of*** a Common Strategic Framework which translates the objectives of the Union into key actions for the CSF Funds, in order to provide clearer strategic direction to the programming process at the level of Member States and regions. The Common Strategic Framework should facilitate sectoral and territorial coordination of Union intervention under the CSF Funds and with other relevant Union policies and instruments.

Justification

As the Common Strategic Framework is a vital feature, the ordinary legislative procedure should be applied.

Amendment 4

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) On the basis of the Common Strategic Framework ***adopted by the Commission***, each Member State should prepare, in cooperation with its partners and in dialogue with the Commission, a

Amendment

(16) On the basis of the Common Strategic Framework, each Member State should prepare, in cooperation with its partners and in dialogue with the Commission, a Partnership Contract. The Partnership

Partnership Contract. The Partnership Contract should translate the elements set out in the Common Strategic Framework into the national context and set out firm commitments to the achievement of Union objectives through the programming of the CSF Funds.

Contract should translate the elements set out in the Common Strategic Framework into the national context and set out firm commitments to the achievement of Union objectives through the programming of the CSF Funds.

Justification

As the Common Strategic Framework is a vital feature, the ordinary legislative procedure should be applied.

Amendment 5

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) With a view to monitoring progress of programmes, an annual review meeting should take place between the Member State and the Commission. ***The Member State and the Commission*** should however be able to agree not to organize the meeting in order to avoid unnecessary administrative burden.

Amendment

(30) With a view to monitoring progress of programmes, an annual review meeting should take place between the Member State, ***the European Parliament*** and the Commission. ***They*** should however be able to agree not to organize the meeting in order to avoid unnecessary administrative burden.

Justification

Since the entry into force of the Treaty of Lisbon, Parliament has been involved in codecision. It is therefore essential that it should be involved in policy implementation too.

Amendment 6

Proposal for a regulation
Recital 37

Text proposed by the Commission

(37) In order to ensure an effective use of Union resources, ***and*** avoid the over-financing of revenue generating operations, it is necessary to set out ***the*** rules for calculating the contribution from the CSF

Amendment

(37) In order to ensure an effective use of Union resources, avoid the over-financing of revenue generating operations, ***but also not hinder the carrying out of useful projects***, it is necessary to set out

Funds to a revenue-generating operation.

appropriate rules for calculating the contribution from the CSF Funds to a revenue-generating operation.

Justification

The complexity of the rules applicable to revenue-generating operations tends, in too many cases, to prevent useful projects from being carried out.

Amendment 7

Proposal for a regulation

Recital 67

Text proposed by the Commission

(67) To ensure the availability of essential and up to date information on programme implementation, it is necessary that Member States provide the Commission with the key data on a regular basis. In order to avoid an additional burden on Member States, this should be limited to data collected continuously, and the transmission should be performed by way of electronic data exchange.

Amendment

(67) To ensure the availability of essential and up to date information on programme implementation, it is necessary that Member States provide the Commission with the key data on a regular basis. In order to avoid an additional burden on Member States **and to protect the environment**, this should be limited to data collected continuously, and the transmission should be performed by way of electronic data exchange.

Justification

It should be pointed out that implementation of the electronic data exchange system (the 'e-Cohesion' project) will meet the twin requirement of simplification and environmental protection (reduction in the volume of paper documents).

Amendment 8

Proposal for a regulation

Recital 79

Text proposed by the Commission

(79) Without prejudice to the Commission's powers as regards financial control, cooperation between the Member States and the Commission in this field should be increased and criteria should be

Amendment

(79) Without prejudice to the Commission's powers as regards financial control, cooperation between the Member States and the Commission in this field should be increased and criteria should be

established which allow the Commission to determine, in the context of its strategy of control of national systems, the level of assurance it should obtain from national audit bodies.

established which allow the Commission to determine, in the context of its strategy of **proportionate** control of national systems, the level of assurance it should obtain from national audit bodies.

Justification

Checks on how the funds are used must be proportionate to the level of support allocated, but also to the risks established during implementation. The fact is that increasing the number of checks, which, in too many cases, are redundant, makes procedures more complex and slows them down, which disadvantages beneficiaries.

Amendment 9

Proposal for a regulation Recital 87

Text proposed by the Commission

(87) The frequency of audits on operations should be proportionate to the extent of the Union's support from the Funds. In particular, the number of audits carried out should be reduced where the total eligible expenditure for an operation does not exceed EUR **100 000**. Nevertheless, it should be possible to carry out audits at any time where there is evidence of an irregularity or fraud, or, following closure of a completed operation, as part of an audit sample. In order that the level of auditing by the Commission is proportionate to the risk, the Commission should be able to reduce its audit work in relation to operational programmes where there are no significant deficiencies or where the audit authority can be relied on.

Amendment

(87) The frequency of audits on operations should be proportionate to the extent of the Union's support from the Funds **and to the risks established**. In particular, the number of audits carried out should be reduced where the total eligible expenditure for an operation does not exceed EUR **200 000**. Nevertheless, it should be possible to carry out audits at any time where there is evidence of an irregularity or fraud, or, following closure of a completed operation, as part of an audit sample. In order that the level of auditing by the Commission is proportionate to the risk, the Commission should be able to reduce its audit work in relation to operational programmes where there are no significant deficiencies or where the audit authority can be relied on.

Justification

Checks on how the funds are used must be proportionate to the level of support allocated, but also to the risks established during implementation. The fact is that increasing the number of checks, which, in too many cases, are redundant, makes procedures more complex and slows

them down, which disadvantages beneficiaries.

Amendment 10

Proposal for a regulation

Recital 88

Text proposed by the Commission

(88) In order to supplement and amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of a code of conduct on the objectives and criteria to support the implementation of partnership, the adoption of **a Common Strategic Framework**, additional rules on the allocation of the performance reserve, the definition of the area and population covered by the local development strategies, detailed rules on financial instruments (*ex ante* assessment, combination of support, eligibility, types of activities not supported), the rules on certain types of financial instruments set up at national, regional, transnational or cross-border level, rules concerning funding agreements, transfer and management of assets, the arrangements for management and control, the rules on payment requests, and establishment of a system of capitalisation of annual instalments, the definition of the flat rate for revenue generating operations, the definition of the flat rate applied to indirect costs for grants based on existing methods and corresponding rates applicable in Union policies, the responsibilities of Member States concerning the procedure for reporting irregularities and recovery of sums unduly paid, the modalities of exchange of information of operations, the arrangements for the adequate audit trail, the conditions of national audits, the accreditation criteria for managing

Amendment

(88) In order to supplement and amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of a code of conduct on the objectives and criteria to support the implementation of partnership, the adoption of additional rules on the allocation of the performance reserve, the definition of the area and population covered by the local development strategies, detailed rules on financial instruments (*ex ante* assessment, combination of support, eligibility, types of activities not supported), the rules on certain types of financial instruments set up at national, regional, transnational or cross-border level, rules concerning funding agreements, transfer and management of assets, the arrangements for management and control, the rules on payment requests, and establishment of a system of capitalisation of annual instalments, the definition of the flat rate for revenue generating operations, the definition of the flat rate applied to indirect costs for grants based on existing methods and corresponding rates applicable in Union policies, the responsibilities of Member States concerning the procedure for reporting irregularities and recovery of sums unduly paid, the modalities of exchange of information of operations, the arrangements for the adequate audit trail, the conditions of national audits, the accreditation criteria for managing authorities and certifying authorities, the

authorities and certifying authorities, the identification of commonly accepted data carriers, and the criteria for establishing the level of financial correction to be applied. The Commission should also be empowered to amend Annex V in order to address future adaptation needs. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.

identification of commonly accepted data carriers, and the criteria for establishing the level of financial correction to be applied. The Commission should also be empowered to amend Annex V in order to address future adaptation needs. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. ***The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.***

Justification

As the Common Strategic Framework is a vital feature, the ordinary legislative procedure should be applied.

Amendment 11

Proposal for a regulation

Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2a) 'Smart Specialization' means the concept for the development of the R&D and innovation policy of the European Union. The objective of smart specialization is to promote efficient and effective use of public investment using synergies among countries and regions and strengthening their innovation capacity. The smart specialization strategy is made of a multi-annual strategy program whose goal is to develop a functional national or regional research innovation system.

Amendment 12

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. Support from the CSF Funds shall be implemented in close cooperation between the Commission and the Member States.

3. Support from the CSF Funds shall be implemented in close cooperation between the Commission and the Member States ***in accordance with the principle of subsidiarity.***

Amendment 13

Proposal for a regulation Article 4 – paragraph 5

Text proposed by the Commission

Amendment

5. Arrangements for the implementation and use of the CSF Funds, and in particular the financial and administrative resources required for the implementation of the CSF Funds, in relation to the reporting, evaluation, management and control shall take into account the principle of proportionality having regard to the level of support allocated.

5. Arrangements for the implementation and use of the CSF Funds, and in particular the financial and administrative resources required for the implementation of the CSF Funds, in relation to the reporting, evaluation, management and control shall take into account the principle of proportionality having regard to the level of support allocated ***and to the risks established.***

Justification

Checks on how the funds are used must be proportionate to the level of support allocated, but also to the risks established during implementation. The fact is that increasing the number of checks, which, in too many cases, are redundant, makes procedures more complex and slows them down, which disadvantages beneficiaries.

Amendment 14

Proposal for a regulation Article 4 – paragraph 6

Text proposed by the Commission

Amendment

6. In accordance with their respective responsibilities, the Commission and the Member States shall ensure coordination

6. In accordance with their respective responsibilities, the Commission and the Member States shall ensure coordination

among the CSF Funds, and with other Union policies and instruments, including those in the framework of the Union's external action.

among the CSF Funds, and with other Union policies and instruments, including those in the framework of the Union's external action. ***Special attention shall be given and, where relevant, resources be allocated for areas in which other Union funds explicitly provide for an integrated approach, such as joint funding for integrated projects in the field of environment and climate.***

Justification

Mainstreaming of environment and climate into all EU funding is one of the major requests of the Parliament's MFF Resolution. "Integrated Projects" under LIFE are a concrete mainstreaming tool. They have the potential to significantly contribute to an efficient use of funds. They aim to support, jointly with other EU funds, the implementation of major environmental legislation such as waste management plans or climate strategies - all with a major potential to create employment and growth.

Amendment 15

Proposal for a regulation

Article 5 – paragraph 1 – point b

Text proposed by the Commission

(b) economic and social partners; and

Amendment

(b) economic and social partners
representing the general interest of industries or branches, employers and employees; and

Amendment 16

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 142 to provide for a European code of conduct that lays down objectives and criteria to ***support*** the implementation of partnership and to facilitate the sharing of information, experience, results and good

Amendment

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 142 to provide for a European code of conduct that lays down objectives and criteria to ***guide*** the implementation of partnership and to facilitate the sharing of information, experience, results and good

practices among Member States.

practices among Member States *in a manner that provides for the fullest possible transparency and access to information and participation in the partnership.*

Amendment 17

Proposal for a regulation Article 6 – paragraph 1

Text proposed by the Commission

1. Operations financed by the CSF Funds shall comply with applicable Union and national law.

Amendment

1. Operations financed by the CSF Funds shall comply with applicable Union and national law *and should not, through their support for strategic long-lasting investments, undermine the strategic long-term coherent application of this legislation.*

Justification

Cases have been identified where EU funds did not violate applicable law but supported major investments that locked countries into an infrastructure making it more difficult, in the medium term, to reach EU objectives. The support for landfills is a prominent example - conflicting with the waste hierarchy. EU supported investments would create much stronger long-lasting economic, social and environmental benefits if such strategic sustainability objectives were incorporated at an early stage.

Amendment 18

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

The objectives of the CSF Funds shall be pursued in the framework of sustainable development and the Union's promotion of the aim of protecting and improving the environment, as set out in Article 11 of the Treaty, taking into account the polluter pays principle.

Amendment

The objectives of the CSF Funds shall be pursued in the framework of sustainable development and the Union's promotion of the aim of protecting and improving the environment, as set out in Article 11 of the Treaty, taking into account the polluter pays principle. *This will be implemented through the integration of environmental aqvis and the protection of biodiversity,*

through minimising future external costs to the environment or public health, and through the application of the precautionary principle in supporting measures under the Funds.

Amendment 19

Proposal for a regulation Article 8 – paragraph 2

Text proposed by the Commission

The Member States and the Commission shall ensure that environmental protection requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management are promoted in the preparation and implementation of Partnership Contracts and programmes. Member States shall provide information on the support for climate change objectives using the methodology adopted by the Commission. The Commission shall adopt this methodology by means of an implementing act. The implementing act shall be adopted in accordance with the examination procedure referred to in Article 143(3).

Amendment

The Member States and the Commission shall ensure that environmental protection requirements, resource efficiency, ***protection of biodiversity and ecosystems***, climate change mitigation and adaptation, ***ecosystem-based*** disaster resilience and risk prevention and management are promoted in the preparation and implementation of Partnership Contracts and programmes. Member States shall provide information on the support for climate change ***and environmental*** objectives, ***including biodiversity and resource efficiency***, using the methodology adopted by the Commission. The ***methodology shall also, to the extent possible, assess the negative impacts of CSF-fund expenditure on climate change and environmental objectives.*** The Commission shall adopt this methodology by means of an implementing act. The implementing act shall be adopted in accordance with the examination procedure referred to in Article 143(3).

Amendment 20

Proposal for a regulation Article 9 – paragraph 1 – point 5

Text proposed by the Commission

(5) promoting climate change adaptation,

Amendment

(5) promoting ***ecosystem-based*** climate

risk prevention and management;

change adaptation, risk prevention and management;

Amendment 21

Proposal for a regulation

Article 9 – paragraph 1 – point 6

Text proposed by the Commission

Amendment

(6) protecting the environment and promoting resource efficiency;

6) protecting the environment, **biodiversity and ecosystems** and promoting resource efficiency;

Justification

Sustainable development a cross-cutting objective to be promoted by the Commission and the Member States in policy implementation. This must be bolstered by incorporating the need to protect biodiversity and ecosystems; those two notions must also be incorporated into the thematic objectives.

Amendment 22

Proposal for a regulation

Article 9 – paragraph 1 – point 11 a (new)

Text proposed by the Commission

Amendment

(11a) supporting the creation and functioning of management instruments for the organization and implementation of the smart specialization in the regions.

Amendment 23

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

Amendment

The Commission shall **be empowered to adopt a delegated act in accordance with Article 142 on the Common Strategic Framework within 3 months of the adoption of this Regulation.**

The Commission shall **submit a legislative proposal to the European Parliament and the Council with a view to adoption of a Common Strategic Framework. Once adopted, it shall be annexed to this**

Regulation.

Justification

As the Common Strategic Framework is a vital feature, the ordinary legislative procedure should be applied.

Amendment 24

Proposal for a regulation Article 13 – paragraph 2

Text proposed by the Commission

2. The Partnership Contract shall be drawn up by Member States in cooperation with the partners referred to in Article 5. The Partnership Contract shall be prepared in dialogue with the Commission.

Amendment

2. The Partnership Contract shall be drawn up by Member States in ***close*** cooperation with the partners referred to in Article 5. The Partnership Contract shall be prepared in dialogue with the Commission.

Amendment 25

Proposal for a regulation Article 14 – paragraph 1 – point a – point i

Text proposed by the Commission

(i) an analysis of disparities and development needs with reference to the thematic objectives and key actions defined in the Common Strategic Framework and the targets set in the country-specific recommendations under Article 121(2) of the Treaty and the relevant Council recommendations adopted under Article 148(4) of the Treaty;

Amendment

(i) an analysis of disparities and development needs with reference to the thematic objectives and key actions defined in the Common Strategic Framework ***taking into account any gaps in implementing EU environmental legislation***, and the ***relevant*** targets set in the country-specific recommendations under Article 121(2) of the Treaty and the relevant Council recommendations adopted under Article 148(4) of the Treaty;

Amendment 26

Proposal for a regulation Article 14 – paragraph 1 – point a – point iv

Text proposed by the Commission

(iv) the indicative allocation of support by the Union by thematic objective at national level for each of the CSF Funds, as well as the total indicative amount of support foreseen for climate change objectives;

Amendment

(iv) the indicative allocation of support by the Union by thematic objective at national level for each of the CSF Funds, as well as the total indicative amount of support foreseen for climate change **and environmental, including biodiversity and resource efficiency**, objectives;

Justification

In its MFF Resolution the EP proposes that positive and negative climate and environment effects of the spending of EU-funds should be analysed on aggregated levels. It also supports the obligation to identify where sectoral programmes have promoted the EU's climate and energy objectives and the resource-efficiency goals as part of the Europe 2020 strategy. In Part II of its MFF Communication, the Commission mentions tracking procedures for climate, environment and biodiversity.

Amendment 27

Proposal for a regulation

Article 14 – paragraph 1 – point a – point iv a (new)

Text proposed by the Commission

Amendment

(iv a) the potential amount of support foreseen for complementary activities with non CSF-funds that specifically provide for such cooperation, such as joint funding for integrated projects in the field of environment and climate; for Partnership Contracts that identify environment or climate as thematic objectives, the Member State shall ensure that priority is given to funding activities that complement integrated projects in those fields;

Justification

"Integrated Projects" under LIFE are a concrete mainstreaming tool for environment and climate. They have the potential to significantly contribute to an efficient use of funds, to the coherent implementation of major environmental legislation and to increase the absorption capacity of funding foreseen for environment and climate under cohesion and agricultural policy. To be feasible in practice, potential complementary activities with the CSF funds have

to be identified at an early stage.

Amendment 28

Proposal for a regulation

Article 14 – paragraph 1 – point b – point i

Text proposed by the Commission

(i) the mechanisms at national and regional level that ensure coordination between the CSF Funds and other Union and national funding instruments and with the EIB;

Amendment

(i) the mechanisms at national and regional level that ensure coordination between the CSF Funds and other Union and national funding instruments, ***especially where those provide for a structured cooperation such as the LIFE programme***, and with the EIB;

Justification

"Integrated Projects" under LIFE are a concrete mainstreaming tool for environment and climate. They have the potential to significantly contribute to an efficient use of funds, to the coherent implementation of major environmental legislation and to increase the absorption capacity of funding foreseen for environment and climate under cohesion and agricultural policy. To be feasible in practice, potential complementary activities with the CSF funds have to be identified at an early stage.

Amendment 29

Proposal for a regulation

Article 14 – paragraph 1 – point b – point ii

Text proposed by the Commission

(ii) the arrangements to ensure an integrated approach to the use of the CSF Funds for the territorial development of urban, rural, coastal and fisheries areas and areas with particular territorial features, in particular the implementation arrangements for Articles 28, 29 and 99 accompanied, where appropriate, by a list of the cities to participate in the urban development platform referred to in Article 8 of the ERDF Regulation;

Amendment

(ii) the arrangements to ensure an integrated approach to the use of the CSF Funds for the ***sustainable*** territorial development of urban, rural, coastal and fisheries areas and areas with particular territorial features, in particular the implementation arrangements for Articles 28, 29 and 99 accompanied, where appropriate, by a list of the cities to participate in the urban development platform referred to in Article 8 of the ERDF Regulation;

Amendment 30

Proposal for a regulation

Article 14 – point e – point i a (new)

Text proposed by the Commission

Amendment

(ia) a summary of the actions planned in order to inform potential beneficiaries;

Justification

Fund visibility must be enhanced by laying down a communication strategy in Partnership Contracts.

Amendment 31

Proposal for a regulation

Article 17 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States shall set out the detailed actions relating to the fulfilment of ex ante conditionalities, including the timetable for their implementation, in the relevant programmes.

4. Member States shall set out the detailed actions relating to the fulfilment of ex ante conditionalities, including the timetable for their implementation, in the relevant programmes. ***With regards to the implementation of plans or strategies under the thematic objectives 4, 5 and 6, Member States shall consider integrated projects in the field of climate and environment as a potential model for an efficient, coherent and well coordinated implementation.***

Justification

Ex-ante conditionalities are a crucial instrument to ensure the efficient use of financial resources. The huge benefits of implementing e.g. waste legislation have been estimated at additional 400,000 jobs with savings of €72 bn. LIFE Integrated Projects can be extremely valuable in this context. They are conceived to be of model character, establishing constructive, enduring cooperation between different sectors of administrations and channelling expenditure to key implementation challenges.

Amendment 32

Proposal for a regulation

Article 24 – paragraph 3 – subparagraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) indicators relating to the impact of the operations on the environment and climate change;

Amendment 33

Proposal for a regulation

Article 24 – paragraph 4

Text proposed by the Commission

Amendment

4. Each programme, except those which cover exclusively technical assistance, shall include a description of the actions to ***take into account*** the principles set out in Articles 7 and 8.

4. Each programme, except those which cover exclusively technical assistance, shall include ***milestones and targets, programme specific indicators and*** a description of the actions to ***align with*** the principles set out in Articles 7 and 8.

Justification

As required in Article 8 there is a commitment to mainstream the environment CSF funds. To be consistent, programmes should include targets and indicators (in addition to actions) to indicate how these principles will be implemented. This will increase the consistency, quality and delivery of the programmes.

Amendment 34

Proposal for a regulation

Article 24 – paragraph 5

Text proposed by the Commission

Amendment

5. Each programme, except those where technical assistance is undertaken under a specific programme, shall set out the indicative amount of support to be used for climate change objectives.

5. Each programme, except those where technical assistance is undertaken under a specific programme, shall set out the indicative amount of support to be used for climate change ***and environmental, including biodiversity and resource efficiency,*** objectives.

Justification

In its MFF Communication, the Commission mentions tracking procedures for climate, environment and biodiversity. Biodiversity tracking already takes place for the EU development funds. In its resolution on an EU biodiversity strategy to 2020, the EP "urges [...] to value ecosystem services and to integrate these values into accounting systems as a basis for more sustainable policies". Tracking expenditure is part of this.

Amendment 35

Proposal for a regulation

Article 29 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall support the creation and functioning of managing instruments for the organization and implementation of the smart specialization in the regions.

Amendment 36

Proposal for a regulation

Article 42 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall participate in the work of the monitoring committee in an advisory capacity.

2. The Commission shall participate in the work of the monitoring committee in an advisory capacity. ***The European Parliament may also participate therein in an advisory capacity.***

Justification

Since the entry into force of the Treaty of Lisbon, Parliament has been involved in codecision. It is therefore essential that it should be involved in policy implementation too.

Amendment 37

Proposal for a regulation

Article 44 – paragraph 8

Text proposed by the Commission

Amendment

8. A citizen's summary of the contents of

8. A citizen's summary of the contents of

the annual and the final implementation reports shall be made public.

the annual and the final implementation reports shall be made public ***in order to increase transparency.***

Amendment 38

Proposal for a regulation Article 45 – paragraph 1

Text proposed by the Commission

1. An annual review meeting shall be organised every year from 2016 until and including 2022 between the Commission and each Member State to examine the performance of each programme, taking account of the annual implementation report and the Commission's observations and recommendations, where applicable.

Amendment

1. An annual review meeting shall be organised every year from 2016 until and including 2022 between the Commission and each Member State to examine the performance of each programme, taking account of the annual implementation report and the Commission's observations and recommendations, where applicable.
The European Parliament shall participate in that meeting.

Justification

Since the entry into force of the Treaty of Lisbon, Parliament has been involved in codecision. It is therefore essential that it should be involved in policy implementation too.

Amendment 39

Proposal for a regulation Article 46 – paragraph 2 – point b

Text proposed by the Commission

(b) progress towards achievement of the Union strategy for smart, sustainable and inclusive growth, in particular in respect of the milestones set out for each programme in the performance framework and the support used for climate change objectives;

Amendment

(b) progress towards achievement of the Union strategy for smart, sustainable and inclusive growth, in particular in respect of the milestones set out for each programme in the performance framework and the support used for climate change ***and environmental, including biodiversity and resource efficiency***, objectives, ***including Natura 2000 as requested by national Prioritized Action Frameworks***;

Amendment 40

Proposal for a regulation Article 65 – paragraph 1

Text proposed by the Commission

1. The Commission shall satisfy itself on the basis of available information, including the accreditation procedure, annual management declaration, annual control reports, annual audit opinion, annual implementation report and audits carried out by national and Union bodies, that the Member States have set up management and control systems that comply with this Regulation and the Fund-specific rules and that these systems function effectively during the implementation of programmes.

Amendment

1. The Commission shall satisfy itself on the basis of available information, including the accreditation procedure, annual management declaration, annual control reports, annual audit opinion, annual implementation report and audits carried out by national and Union bodies, that the Member States have set up management and control systems that comply with this Regulation and the Fund-specific rules and that these systems function effectively ***and proportionately to the risks established*** during the implementation of programmes.

Justification

Checks on how the funds are used must be proportionate to the level of support allocated, but also to the risks established during implementation. The fact is that increasing the number of checks, which, in too many cases, are redundant, makes procedures more complex and slows them down, which disadvantages beneficiaries.

Amendment 41

Proposal for a regulation Article 81 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The actions supported by the Funds shall contribute to the Union strategy for smart, sustainable and inclusive growth.

Amendment

The actions supported by the Funds shall contribute to the Union strategy for smart, sustainable and inclusive growth ***and to a strategy of improvement of Smart Specialization in the regions.***

Amendment 42

Proposal for a regulation

Article 81 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) 'Smart Specialization' of the regions shall be supported by all the funds.

Amendment 43

Proposal for a regulation

Article 82 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

The three categories of regions are determined on the basis of how their GDP per capita, measured in purchasing power parities and calculated on the basis of Union figures for the period **2006 to 2008**, relates to the average GDP of the EU-27 for the same reference period.

The three categories of regions are determined on the basis of how their GDP per capita, measured in purchasing power parities and calculated on the basis of Union figures for the period **2007 to 2009**, relates to the average GDP of the EU-27 for the same reference period.

Justification

As the Eurostat statistics for 2009 are now known, they should be used.

Amendment 44

Proposal for a regulation

Article 87 – paragraph 2 – point c – point i

Text proposed by the Commission

Amendment

(i) the mechanisms that ensure coordination between the Funds, the EAFRD, the EMFF and other Union and national funding instruments, and with the EIB;

(i) the mechanisms that ensure coordination between the Funds, the EAFRD, the EMFF and other Union and national funding instruments, ***especially where those provide for a structured cooperation such as the LIFE programme***, and with the EIB;

Justification

"Integrated Projects" under LIFE are a concrete mainstreaming tool for environment and climate. They have the potential to significantly contribute to an efficient use of funds, to the coherent implementation of major environmental legislation and to increase the absorption capacity of funding foreseen for environment and climate under cohesion and agricultural policy. To be feasible in practice, potential complementary activities with the CSF funds have to be identified at an early stage.

Amendment 45

Proposal for a regulation

Article 87 – paragraph 2 – point c – point i a (new)

Text proposed by the Commission

Amendment

(ia) the arrangement of cooperation on environmental and climate priorities between different sectoral administrations on national and regional level, leading to, first, the identification of areas in which activities that complement integrated projects in the environment and climate field could be envisaged and, second, the determination of funding areas where the use of solutions, methods and approaches validated under the LIFE programme can be beneficial;

Justification

"Integrated Projects" under LIFE are a concrete mainstreaming tool for environment and climate. They have the potential to significantly contribute to an efficient use of funds, to the coherent implementation of major environmental legislation and to increase the absorption capacity of funding foreseen for environment and climate under cohesion and agricultural policy. To be feasible in practice, potential complementary activities with the CSF funds have to be identified at an early stage.

Amendment 46

Proposal for a regulation

Article 87 – paragraph 3 – subparagraph 1 – point i

Text proposed by the Commission

Amendment

(i) a description of specific actions to take into account environmental protection

(i) a description of specific actions to take into account environmental protection

requirements, resource efficiency, climate change mitigation and adaptation, disaster resilience and risk prevention and management, in the selection of operations;

requirements, resource efficiency, ***biodiversity protection, ecosystem-based*** climate change mitigation and adaptation, disaster resilience and risk prevention and management, in the selection of operations;

Amendment 47

Proposal for a regulation

Article 87 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Member States shall submit an opinion of the national equality bodies on the measures set out in points (ii) and (iii) with the proposal for an operational programme under the Investment for growth and jobs goal.

Amendment

Member States shall submit ***an opinion of the relevant national or regional environmental bodies on the measures set out in point (i), and*** an opinion of the ***relevant*** national ***or regional*** equality bodies on the measures set out in points (ii) and (iii) with the proposal for an operational programme under the Investment for growth and jobs goal.

Amendment 48

Proposal for a regulation

Article 91 – paragraph 1 – subparagraph 1 – point f

Text proposed by the Commission

(f) an analysis of the environmental impact, taking into account climate change adaptation and mitigation needs, and disaster resilience;

Amendment

(f) an analysis of the environmental impact, taking into account ***biodiversity protection, resource efficiency,*** climate change adaptation and mitigation needs, and disaster resilience;

Amendment 49

Proposal for a regulation

Article 105 – paragraph 1 – point a

Text proposed by the Commission

(a) ensuring the establishment of a single website or a single website portal

Amendment

(a) ensuring the establishment of:

providing information on, and access to, all operational programmes in that Member State;

- a single website or a single website portal providing information on, and access to, all operational programmes in that Member State;

- a website for each operational programme which is accessible from the single website or website portal;

Justification

Fund visibility must be enhanced by building detailed information websites. Those websites must set out the conditions for using the CSF Funds in respect of each operational programme.

Amendment 50

Proposal for a regulation Article 107 – paragraph 2

Text proposed by the Commission

2. The information and communication officer shall coordinate and chair meetings of a national network of Funds' communicators, including relevant European territorial cooperation programmes, the creation and maintenance of the ***website or website portal*** referred to in Annex V and the obligation to provide an overview about communication measures undertaken at national level.

Amendment

2. The information and communication officer shall coordinate and chair meetings of a national network of Funds' communicators, including relevant European territorial cooperation programmes, the creation and maintenance of the ***websites*** referred to in Annex V and the obligation to provide an overview about communication measures undertaken at national level.

Justification

Fund visibility must be enhanced by building detailed information websites. Those websites must set out the conditions for using the CSF Funds in respect of each operational programme.

Amendment 51

Proposal for a regulation

Article 112 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The systems shall facilitate interoperability with national and Union frameworks **and** allow for the beneficiaries to submit all information referred to in the first subparagraph only once.

Amendment

The systems shall facilitate interoperability with national and Union frameworks, **shall** allow for the beneficiaries to submit all information referred to in the first subparagraph only once, **and shall contribute towards protection of the environment.**

Justification

It should be pointed out that implementation of the electronic data exchange system (the ‘e-Cohesion’ project) will meet the twin requirement of simplification and environmental protection (reduction in the volume of paper documents).

Amendment 52

Proposal for a regulation

Article 114 – paragraph 3 – point a – point i

Text proposed by the Commission

(i) are non-discriminatory and transparent;

Amendment

(i) are **clear**, non-discriminatory and transparent;

Justification

Accessibility of the European funds depends to a large extent on making them less complex. The regulation’s provisions therefore need to be clear and easy to apply.

Amendment 53

Proposal for a regulation

Article 140 – paragraph 1

Text proposed by the Commission

1. Operations for which the total eligible expenditure does not exceed EUR **100 000** shall not be subject to more than one audit by either the audit authority or the Commission prior to the closure of all the

Amendment

1. Operations for which the total eligible expenditure does not exceed EUR **200 000** shall not be subject to more than one audit by either the audit authority or the Commission prior to the closure of all the

expenditure concerned under Article 131. Other operations shall not be subject to more than one audit per accounting year by the audit authority and the Commission prior to the closure of all the expenditure concerned under Article 131. These provisions are without prejudice to paragraph 4.

expenditure concerned under Article 131. Other operations shall not be subject to more than one audit per accounting year by the audit authority and the Commission prior to the closure of all the expenditure concerned under Article 131. These provisions are without prejudice to paragraph 4.

Justification

Checks on how the funds are used must be proportionate to the level of support allocated, but also to the risks established during implementation. The fact is that increasing the number of checks, which, in too many cases, are redundant, makes procedures more complex and slows them down, which disadvantages beneficiaries.

Amendment 54

Proposal for a regulation

Annex 4 - Table 1 – row 6 – subrow 6.2 a (new)

Text proposed by the Commission

Amendment

	6.2a. Air quality: Implementation of the Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe.	– A comprehensive air quality management strategy is in place, including evidence of the adoption of air quality plans that set out measures in order to attain the limit values or target values, in accordance with article 23 of Directive 2008/50/EC.
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Justification

Ex-ante conditionalities are an essential tool to increase the effectiveness and the overall strategic performance of EU structural instruments. Given the potential impact of CSF-fund spending on air quality, this should be part of the ex-ante conditionalities.

Amendment 55

Proposal for a regulation

Annex 4 - Table 1 – row 6 – subrow 6.2 b (new)

Text proposed by the Commission

Amendment

	6.2b. Nature and Biodiversity: Implementation of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive), especially with regards to Prioritised Action Frameworks foreseen in Art. 8 (4).	- Member States have set out funding priorities for management and restoration of Natura 2000 areas as part of national or regional Prioritised Action Frameworks, in accordance with Article 8 of Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, having regard to the co-financing opportunities under different EU funding instruments.
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Justification

Ex-ante conditionalities are an essential tool to increase the effectiveness and the overall strategic performance of EU structural instruments. Given the potential impact of CSF-fund spending on nature, this should be part of the ex-ante conditionalities. In addition, better strategic planning has been identified as one key condition to ensure a greater uptake of EU funds by Member States for Natura 2000 in the next MFF; Prioritised Action Frameworks are a crucial instrument for this. This is in line with the EP's resolution from 20 April 2012 on an EU biodiversity strategy to 2020.

PROCEDURE

Title	Common provisions on European Funds and repealing Regulation (EC) No 1083/2006						
References	COM(2011)0615 – C7-0335/2011 – 2011/0276(COD)						
Committee responsible Date announced in plenary	REGI 25.10.2011						
Opinion by Date announced in plenary	ENVI 25.10.2011						
Rapporteur Date appointed	Sophie Auconie 8.11.2011						
Discussed in committee	7.5.2012						
Date adopted	20.6.2012						
Result of final vote	<table> <tr> <td>+: </td><td>57</td></tr> <tr> <td>–: </td><td>1</td></tr> <tr> <td>0: </td><td>0</td></tr> </table>	+:	57	–:	1	0:	0
+:	57						
–:	1						
0:	0						
Members present for the final vote	Elena Oana Antonescu, Sophie Auconie, Pilar Ayuso, Paolo Bartolozzi, Sergio Berlato, Lajos Bokros, Martin Callanan, Nessa Childers, Yves Cochet, Chris Davies, Edite Estrela, Jill Evans, Elisabetta Gardini, Matthias Groote, Françoise Grossetête, Cristina Gutiérrez-Cortines, Satu Hassi, Jolanta Emilia Hibner, Dan Jørgensen, Christa Kläß, Eija-Riitta Korhola, Holger Krahmer, Peter Liese, Kartika Tamara Liotard, Zofija Mazej Kukovič, Linda McAvan, Miroslav Ouzký, Vladko Todorov Panayotov, Andres Perello Rodriguez, Mario Pirillo, Pavel Poc, Frédérique Ries, Anna Rosbach, Oreste Rossi, Dagmar Roth-Behrendt, Carl Schlyter, Richard Seeber, Claudiu Ciprian Tănăsescu, Anja Weisgerber, Åsa Westlund, Glenis Willmott, Sabine Wils, Marina Yannakoudakis						
Substitute(s) present for the final vote	Margrete Auken, Erik Bánki, Cristian Silviu Buşoi, Nikos Chrysogelos, Minodora Cliveti, Gaston Franco, Vittorio Prodi, Birgit Schnieper-Jastram, Rebecca Taylor, Eleni Theocharous, Marita Ulvskog, Kathleen Van Brempt, Anna Záborská, Andrea Zanoni						
Substitute(s) under Rule 187(2) present for the final vote	Véronique Mathieu						