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*****III** **REPORT**

on the joint text approved by the Conciliation Committee for a European Parliament and Council regulation concerning the financial instrument for the environment (LIFE)
(C5-0221/2000 – 1998/0336(COD))

European Parliament delegation to the Conciliation Committee

Rapporteur: Marie-Noëlle Lienemann

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

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PROCEDURAL PAGE

At the sitting of 14 April 1999 Parliament adopted its position at first reading on the proposal for a Council regulation concerning the financial instrument for the environment (LIFE) (COM(1998) 720 - 1998/0336 (COD)).

At the sitting of 19 November 1999 the President of Parliament announced that the common position had been received and referred to the Committee on the Environment, Public Health and Consumer Policy (10233/1/1999 - C5-0224/1999).

At the sitting of 16 February 2000 Parliament adopted amendments to the common position.

By letter of 15 April 2000 the Council stated that it was unable to approve all Parliament's amendments.

The President of the Council, in agreement with the President of Parliament, convened a meeting of the Conciliation Committee on 23 May 2000.

By letter of 15 April 2000 the President of the Council informed Parliament that the extension of the deadline for the work in committee pursuant to Article 251(7) of the EC Treaty was necessary.

At the above meeting the Conciliation Committee considered the common position on the basis of the amendments proposed by Parliament.

At the same meeting it reached agreement on a joint text.

On 19 June 2000 the co-chairmen of the Conciliation Committee established that the joint text had been approved, pursuant to paragraph III.8 of the Joint declaration on practical arrangements for the new co-decision procedure,¹ and forwarded it to Parliament and the Council in all the official languages.

On 21 June 2000 Parliament's delegation to the Conciliation Committee adopted the draft legislative resolution unanimously.

The following took part in the vote: Ingo Friedrich, Vice-President and chairman of the delegation; James L.C. Provan, Vice-President; Renzo Imbeni, Vice-President; Caroline Jackson, chairman of the Committee on the Environment, Public Health and Consumer Policy; Marie-Noëlle Lienemann, rapporteur; David Robert Bowe, Marialiese Flemming (for Carmen Fraga Estévez), Bernd Lange, Torben Lund (for Minerva Melpomeni Malliori), Jorge Moreira Da Silva and Ursula Schleicher.

The report was tabled on 21 June 2000.

¹ OJ C 148, 28.5.1999, p. 1.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council regulation concerning the financial instrument for the environment (LIFE) (C5-0221/2000 – 1998/0336(COD))

(Codecision procedure: third reading)

The European Parliament,

- having regard to the joint text approved by the Conciliation Committee (and the relevant Commission statements) (C5-0221/2000),
 - having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(1998) 720²),
 - having regard to the amended Commission proposal (COM(1999) 305³),
 - having regard to its position at second reading on the Council common position⁴,
 - having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2000) 170 - C5-0161/2000)⁵,
 - having regard to Article 251(5) of the EC Treaty,
 - having regard to Rule 83 of its Rules of Procedure,
 - having regard to the report of its delegation to the Conciliation Committee (A5-0172/2000),
1. Approves the joint text and draws attention to the Commission statements thereon;
 2. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
 3. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Communities;
 4. Instructs its President to forward this legislative resolution to the Council and Commission.

¹ OJ C 219, 30.7.1999, p. 273.

² OJ C 15, 20.1.1999, p. 4.

³ OJ C not yet published.

⁴ OJ C not yet published.

⁵ OJ C not yet published.

EXPLANATORY STATEMENT

Background

1. On 20 January 1999, the Commission submitted a proposal for a regulation concerning the financial instrument for the environment (LIFE). The proposed regulation will provide the basis for the LIFE programme's third stage (2000-2004). The purpose of the LIFE Programme is to help to develop and expand a European Union environmental policy.

The programme consists of the following three thematic components:

- LIFE-Nature (protecting natural habitats and endangered species);
 - LIFE-Environment (incorporating environmental aspects into industrial activities, environmental management and development); and
 - LIFE-Third Countries (nature protection and demonstration projects in third countries of the Mediterranean and Baltic regions).
2. On 14 April 1999, the European Parliament adopted its first reading, with 44 amendments. However, the Council was only able to accept a part of Parliament's amendments in its common position, which it adopted on 2 December 1999.
 3. On 16 February 2000, the European Parliament adopted a total of 14 amendments at second reading. On 15 April 2000 the Council formally notified Parliament that it could not accept these amendments. This made it necessary to convene a conciliation committee.

Conciliation

4. Informal contacts with the Council Presidency began soon after Parliament's second reading and a trialogue with the Portuguese Presidency and the Commission was held on 2 May 2000. At this meeting both institutions, Parliament and Council, indicated their wish to find an agreement at trialogue level in order to avoid a further delay of the entry into force of the regulation. This trialogue meeting was characterised by a spirit of cooperation between the Institutions. The Commission proposed compromise texts for the amendments regarding the objectives of LIFE III (Amendments Nos. 4, 5 and 6) as well as for the submission of a Commission proposal for LIFE IV (Amd. 14). The main discussion focused on the financial framework. The Council Presidency proposed a compromise package providing notably for an increased budget of EUR 40 million for the five-year programme.
5. This compromise was discussed at the meeting of Parliament's delegation of 17 May and unanimously accepted. The agreement reached contains the following elements:

LIFE III budget

A financial allocation of EUR 640 m was agreed for the five-year programme, representing an increase of EUR 27 m over the Council's common position.

Comitology

The regulatory procedure proposed by the Council (pursuant to Article 5 of the Comitology Decision) was accepted by Parliament's delegation. The Commission submitted a declaration regarding the comitology issue, underlining its preference for a management committee.

Other amendments

The Council accepted the amendments relating to the programme's objectives (Amendments 4, 5 and 6) and the submission of a proposal for a follow-up programme (LIFE IV - Amendment 14) in the wording proposed by the Commission.

Adjustment of deadlines

At second reading, Parliament did not adopt any amendments to the deadlines for submitting and selecting the projects. Owing to the delayed adoption of the LIFE III programme, however, the previously agreed deadlines could no longer be met. The Commission therefore proposed that the relevant deadlines should be fixed annually, as was standard practice with comparable programmes. It was agreed that these dates will be fixed by the Commission in accordance with the relevant comitology committee. The Commission submitted a declaration regarding this new procedure.

6. At the Conciliation Committee of 23 May 2000 on a different dossier ('water framework') the conciliation procedure on LIFE III was formally concluded as an 'A-point' without discussion.

Conclusions

7. Parliament's delegation accepts the agreement reached and thanks the Portuguese Presidency of the Council and the Commission for their constructive cooperation. The agreement reached, particularly for the financial framework of the LIFE programme, can be considered as satisfactory. Despite the delayed adoption of this programme, the entry into force of the regulation before summer 2000 allows for projects to be funded under the new programme in the second half of the current year. The delegation therefore recommends that Parliament adopts the joint text attached.