



**2025/2584(RSP)**

24.03.2025

# **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 1293/2013<sup>1</sup>, 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 powers<sup>2</sup>,
- 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 multiannual work programmes for 2021-2024 ('MAWP 2021-2024') and 2025-2027 ('MAWP 2025-2027');
- B. whereas the European Parliament fully supports the objectives of Regulation (EU) 2021/783; whereas critical procedural errors must nevertheless be addressed;
- C. whereas the primary objective of this resolution is to uphold the *Trias Politica*, otherwise known as the principle of separation of powers;
- D. whereas the MAWP 2021-2024 failed to provide adequate safeguards to uphold the institutional balance in the Union by allowing the targeted lobbying of Members of the European Parliament on instruction of the Commission;
- E. whereas a revision of the proposed MAWP 2025-2027 to include such safeguards is

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

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

warranted;

### *Separation of powers*

- F. whereas Article 13(1) of the Treaty on European Union (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;
- G. whereas Article 13(2) TEU mandates that ‘each institution shall act within the limits of the powers conferred on it in the Treaties’ in ‘mutual sincere cooperation’;
- H. 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;
- I. whereas scholars observe an increasing politicisation of the Commission<sup>3</sup>; whereas concern has been raised regarding the Commission’s growing role in shaping public opinion through information campaigns<sup>4</sup>;
- J. whereas use of public funds to support communication efforts via non-government organisations (NGOs) under Regulation (EU) 2021/783 should be considered within that broader context;
- K. whereas, whenever one of the branches undertakes activities that may jeopardise that principle of separation of powers, it must adopt sufficient measures to uphold the integrity of the *Trias Politica*; whereas the MAWP 2025-2027 fails to provide the necessary safeguards;

### *Full disclosure*

- L. whereas Regulation (EU) 2021/783 allows the award of grants to NGOs; whereas, according to Article 163(1) of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council<sup>5</sup>, ‘[a]ll contracts financed in whole or in part by the budget shall respect the principles of transparency, proportionality, equal treatment and non-discrimination’;
- M. whereas operating grants that are conditional upon compliance with pre-agreed ‘work packages’ or framework agreements enable the Commission to exercise financial leverage over NGOs, potentially influencing the activities of those NGOs; whereas the Committee on Budgetary Control of the European Parliament has therefore requested

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<sup>3</sup> 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](https://doi.org/10.1057/9781137339898_9).

<sup>4</sup> 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.

<sup>5</sup> 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>).

that it receive a list of all grant agreements;

- N. whereas the Commission must uphold its role as an honest broker; whereas the Commission should establish clear transparency requirements as a prerequisite for LIFE Programme funding, including the requirement that NGOs receiving such funding are to disclose their main financial sources and donors in the EU Transparency Register;

*Organisational requirements*

- O. whereas the Commission has failed to provide a transparent procedure in respect of the selection of evaluation committee members by the European Climate, Infrastructure and Environment Executive Agency (CINEA) and the Directorate-General for Environment (DG ENV), thereby failing to ensure that the committee is independent and free from conflicts of interest and jeopardising the integrity of the decision-making process;
- P. 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;

*Article 18 of Regulation (EU) 2021/783*

- Q. whereas the specific objectives set out in Article 3(2), points (a) and (c), of Regulation (EU) 2021/783 on the development, demonstration, and promotion of innovative techniques, and on action as a catalyst for large-scale deployment, respectively, allow for objective and measurable targets;
- R. whereas this is to a significantly lesser extent the case for projects under Article 3(2), point (b), of Regulation (EU) 2021/783 on supporting the development, implementation, monitoring and enforcement of Union legislation and policy; whereas nonetheless a substantial part of the LIFE programmes' budget is allocated primarily to that objective;
- S. whereas it is essential to establish stricter criteria for those projects to ensure greater transparency and accountability in their concrete outcomes; whereas this is necessary to guarantee that Union funds are disbursed in full compliance with the principles of sound financial management, as enshrined in Article 317 TFEU;

*Article 19 of Regulation (EU) 2021/783*

- T. whereas the Commission is empowered to amend the indicators of Annex II to Regulation (EU) 2021/783 and to supplement that Regulation with a monitoring and evaluation framework; whereas that power is to be carried out by way of the adoption of a delegated act in accordance with Article 23 of that Regulation;
- U. whereas the Commission published a monitoring and evaluation framework without following the delegated act procedure; whereas the European Parliament is prevented from exercising its democratic right to lodge an objection; whereas this constitutes a breach of institutional balance in itself;

*Article 20 of Regulation (EU) 2021/783*

- V. whereas, pursuant to Article 20 of Regulation (EU) 2021/783, the Commission is to carry out a mid-term evaluation; whereas the goal of that mid-term evaluation would be to improve the MAWP 2025-2027; whereas the mid-term evaluation is particularly relevant in the light of recent reports concerning lobbying activities conducted by NGOs;
- W. whereas the mid-term evaluation has not been finalised within the time limits laid down in Article 20 of Regulation (EU) 2021/783; whereas non-compliance with Article 20 effectively results in an information deficit, hindering the European Parliament from carrying out its oversight duties in relation to the MAWP 2025-2027 effectively under the examination procedure;
1. Considers that the draft Commission implementing decision exceeds the implementing powers provided for in Regulation (EU) 2021/783;
  2. Considers that the MAWP 2025-2027 lacks adequate safeguards to prevent violations of the principle of separation of powers such as measures prohibiting direct or indirect lobbying activities in relation to ongoing files, and aimed at the European Parliament and/or the Council, from being funded or made conditional upon funding from the LIFE Programme;
  3. Considers that the MAWP 2025-2027 fails to establish sufficient criteria to ensure compliance with the principles of sound financial management and the objectives under Article 3 of Regulation (EU) 2021/783;
  4. Considers that the monitoring and evaluation framework has not been established in accordance with Regulation (EU) 2021/783, preventing the European Parliament from exercising its powers under the delegated acts procedure;
  5. Considers that the evaluation process under the MAWP 2025-2027 does not comply with the timelines set by Regulation (EU) 2021/783, compromising the European Parliament's right of scrutiny;
  6. Calls on the Commission to withdraw its draft implementing decision and to submit a new draft to the committee;
  7. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.