

COMMISSION DECISION C(2011)7319 of 19 October 2011

concerning the adoption of a financing decision in the Environment policy area
for 2012

The Decision constitutes the annual work programme for actions to be implemented via grants in the area of Environment for the year 2012 under the LIFE + programme.

It covers in particular :

- **the call for proposals for projects to be supported through action grants under "Nature and biodiversity", "Environment policy and governance" and "Information and Communication" for the year 2012;**
- **the 2012 call for proposals for grants to be awarded for the operational activities of Non Governmental Organisations primarily active in protecting and enhancing the environment at European level and involved in the development and implementation of Community policy and legislation ;**
- **grants to be awarded without a call for proposals to bodies with a de jure / de facto monopoly or to bodies with technical competences and high degree of specialisation.**

The present work programme serves as financing decision in accordance with article 75 of the Financial Regulation. The financing decision will allow the relevant procedures to be launched as from the autumn of 2011 so that the individual decisions to award grants can be taken as from the beginning of 2012, provided they are consistent with this financing decision, and subject to the adoption of the 2012 budget without any substantial amendment and the availability of the corresponding budgetary appropriations.

2012 Annual Work Programme for grants in the Environment Policy Area

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1. LIFE + PROGRAMME (BUDGET ITEM 07 01 04 01 AND BUDGET ARTICLE 07 03 07)

1.1. LIFE + programme - Call for proposals – action grants - projects to be supported under "Nature and biodiversity", "Environment policy and governance" and "Information and Communication"

1.1.1. Budget line, basic act and legal references

Budget line : 07 03 07 - LIFE+ (Financial Instrument for the Environment — 2007 to 2013)

Basic act : Regulation (EC) No 614/2007 of the European Parliament and of the Council of 23 May 2007 concerning the Financial Instrument for the Environment (LIFE+) (OJ L 149 of 9 June 2007, p.1), and in particular Article 5, paragraph 6.

Legal references :

Commission Decision C(2008)1246 laying down the methodology of the project selection procedure for 2008-2013 in accordance with Article 6 of the Life+ Regulation.

Commission Decision C(2008)1245 specifying the format, content and submission dates for national annual priorities for the purpose of Article 6(4) of the LIFE+ Regulation.

Commission Decision C(2008)1244 establishing indicators to assist the monitoring of measures financed by LIFE+.

1.1.2. Objectives of the call for proposals

The general objective of the LIFE+ programme is to contribute to the implementation, updating and development of the European Union's environmental policy and legislation, including the integration of the environment into other policies, thereby contributing to sustainable development.

In particular, LIFE+ supports the implementation of the Sixth Environmental Action Programme¹, including the thematic strategies, and finances measures and projects with European added value in Member States.

The call for proposals will cover all three strands of the programme:

- LIFE + Nature and biodiversity
- LIFE + Environment policy and governance
- LIFE + Information and communication

LIFE+ seeks funding complementarity with other Union financial instruments as set out in Article 9 of the Regulation.

¹ Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme, OJ L 242, 10.9.2002, p. 1–15.

To this end LIFE+ will not finance projects that fall within the eligibility criteria and main scope of other Union financial instruments; nor will LIFE+ finance projects that receive assistance for the same purpose from these programmes.

The Commission shall have special regard to transnational projects when transnational cooperation is essential to guarantee environmental protection, in particular species protection, and shall endeavour to ensure that at least 15 % of the budgetary resources are allocated to transnational projects.

1.1.3. Expected results of actions to be supported

Funded projects are expected to contribute to the implementation of the objectives set out in the Sixth Environmental Action Programme and related Thematic Strategies. The overall expected result is to increase and promote sustainable development at Union level as well as at national and regional level.

More specifically the expected results for each of the three strands are:

A) LIFE+ Nature and biodiversity:

To support the setting up and the adequate management of the Union network of protected areas (Natura 2000) and to protect, conserve, restore, monitor and facilitate the functioning of natural systems, natural habitats, and wild flora and fauna. In addition to aim at halting the loss of biodiversity, including diversity of genetic resources, in the European Union, in accordance with the Commission communication COM (2010) 4 of 19/01/2010 "Options for an EU vision and target for biodiversity beyond 2010 " and the Council Conclusions on Biodiversity of 16/03/2010 and 14/10/2010. In particular, LIFE+ is expected to contribute significantly to the implementation of the decisions taken at the COP10 in Nagoya in October 2010.

B) LIFE+ environment policy and governance:

To contribute directly to the implementation of Europe 2020, the European Union's growth strategy for the coming decade. The LIFE+ contribution to sustainable growth will be achieved by testing and transferring new environmental techniques and processes. Particular emphasis will be given to the Sixth Environmental Action Programme and related Thematic Strategies. It is expected that the projects financed will contribute to the objectives set out by the programme and notably in areas such as climate change, water, air, soil, urban environmental, noise, chemicals, environment and health, waste and natural resources, forests and innovation.

C) LIFE+ information and communication:

To ensure regular and effective information flow among the relevant target groups in order to facilitate and support policy decisions on the environment, and to provide accessible and user-friendly information on the state and trends of the environment to citizens.

In the context of the mid-term and final evaluations of the LIFE+ programme, indicators to assist in the monitoring of measures financed by the programme have been established in accordance with Article 14(2)(e) of the Regulation².

1.1.4. Specific targets /actions/ themes for 2012:

The call for proposals will cover the following themes from the list of multi-annual objectives set out in Annex II to the LIFE + Regulation:

A) LIFE+ Nature and biodiversity:

1. To protect, restore, monitor and facilitate the functioning of natural systems, natural habitats, wild flora and fauna, with the aim of halting the loss of biodiversity, including diversity of genetic resources, within the Union.

B) LIFE+ environment policy and governance:

2. Climate change: To stabilise green house gas concentration at a level that prevents global warming above 2°C;
3. Water: To contribute to enhanced water quality by developing cost-effective measures to achieve good ecological status in view of developing the first river basin management plan under Directive 2000/60/EC (Water framework directive);
4. Air: To achieve levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment;
5. Soil: To protect and ensure the sustainable use of soil by preserving soil functions, preventing threats to soil, mitigating their effects and restoring degraded soils;
6. Urban environment: To contribute to improving the environmental performance of Europe's urban areas;
7. Noise: To contribute to policy development and implementation on environmental noise;
8. Chemicals: To improve the protection of the environment and health from risks posed by chemicals by 2020 by implementing chemicals legislation, in particular Regulation n° 1907/2006 (REACH) and the Thematic Strategy on the sustainable use of pesticides;
9. Environment and health: To develop the information base for policy on the environment and health (the Environment and Health Action Plan 2004-2010);
10. Natural resources and waste: To develop and implement policies designed to ensure sustainable management and use of natural resources and waste, and to improve the environmental performance of products, sustainable production and consumption patterns, waste prevention, recovery and recycling; To contribute to the effective implementation of the Thematic Strategy on the prevention and recycling of waste;

² See Commission Decision C(2008)1244 establishing indicators to assist the monitoring of measures financed by LIFE+.

11. Forests: To provide, especially through an Union coordination network, a concise and comprehensive basis for policy relevant information on forests in relation to climate change (impact on forests ecosystems, mitigation, substitution effects), biodiversity (baseline information and protected forest areas), forest fires, forest conditions and the protective functions of forests (water, soil and infrastructure) as well as contributing to the protection of forests against fires;
12. Innovation: To contribute to developing and demonstrating innovative policy approaches, technologies, methods and instruments to assist in the implementation of the Environmental Technologies Action Plan (ETAP).
13. Strategic approaches: To promote the effective implementation and enforcement of Union environmental legislation and improve the knowledge base for environmental policy; To ensure more efficient and coherent policies; To improve the environmental performance of SMEs; To provide the tools to develop environmental policy and legislation;

C) LIFE+ information and communication:

14. Ensuring regular and effective information flow to provide the basis for policy decision on the environment, and to provide accessible information to citizens on the state and trends of the environment.

In the context of the above themes Member States may identify national priorities as foreseen by Article 6(3) of the LIFE+ Regulation³; these priorities will be published in a standard format at the same time as the call for proposals is launched.

2.1.5. Admissibility and eligibility criteria

In addition to compliance with the technical/administrative requirements for submitting a request for funding as will be detailed in the instructions given in the call for proposals, guidelines and application forms, attention is drawn to the following admissibility criteria:

- (1) applicants and their partners must be public or private bodies, actors and institutions registered in the Member States.
- (2) applicants must submit their proposals to the national competent authority of the Member State where the applicant is registered. The national competent authority will then forward the LIFE+ project proposals to the Commission; the list of national competent authorities will be specified in the call for proposals.

Requests for funding will also have to comply with the following eligibility criteria:

- (3) proposals to be co-financed must have a European added value in Member States.
- (4) proposals must fall within the scope of one of the three strands of the LIFE + programme (Nature and biodiversity, Environment policy and governance and Information and communication). For each of the three strands, the call for proposals

³ See Commission Decision C(2008)1245 specifying the format, content and submission dates for national annual priorities for the purpose of Article 6(4) of the LIFE+ Regulation.

will contain further criteria for the proposed action. The most important of these relate to:

- (a) the geographic scope of the project (European added value in one or more EU Member States);
- (b) the proposal's links to relevant legislation (e.g. Birds' and Habitats' Directives; Communication on Halting the loss of Biodiversity; Directives connected to the principal objectives set out in annex II of the Regulation).

1.1.6. Selection criteria

The selection criteria shall be such as to make it possible to assess the applicant's ability to complete the proposed action:

- (5) operational capacity of the applicant and partners: professional competencies, qualifications and requirements needed to undertake the proposal within stated technical parameters;
- (6) financial capacity: stable and sufficient sources of funding to maintain its activity throughout the period during which the proposal is being carried out and to participate in its funding.

1.1.7. Award criteria

The essential award criteria are:

- (7) technical coherence and quality: proposal should be clear, detailed, coherent, realistic and feasible in terms of actions, timetable;
- (8) financial coherence and quality of the proposal: consistency with the technical actions; compliance with the rules set out in the LIFE+ application guide, the Common Provisions for LIFE+ projects and the LIFE+ Regulation, transparency, coherence, cost-efficiency, value for money;
- (9) contribution to the general objectives of LIFE+: importance of the problem targeted, significance of solution, scope of application contribution to the integration of the environment into other policies and/or to sustainable development;
- (10) added value in terms of best-practice, innovation, demonstration, forest monitoring etc. as well as ensuring the complementarity and optimal use of the EC funding;
- (11) EU added value in terms of multi-national character of the proposal;
- (12) national added value and the correspondence of proposals with national priorities based on comments made by the LIFE+ national competent authority.

In accordance with the general methodology defined for project selection 2008-2013⁴, once a list has been established based on the above award criteria, projects will be allocated to

⁴ See Commission Decision C(2008)1246 laying down the methodology of the project selection procedure for 2008-2013 in accordance with Article 6 of the Life+ Regulation.

Member States in accordance with indicative national financial allocations based on the criteria defined in Article 6.2 of the LIFE + Regulation.

The indicative national allocations for 2012 based on these criteria are as follows:

Country	Indicative amount (EUR million)	Country	Indicative amount (EUR million)	Country	Indicative amount (EUR million)
AT	5.353	FI	7.357	MT	2.614
BE	5.763	FR	27.975	NL	8.490
BU	9.173	GR	9.814	PL	18.380
CY	2.681	HU	7.135	PT	7.392
CZ	5.900	IE	4.213	RO	11.669
DE	31.356	IT	24.325	SE	9.144
DK	4.782	LT	3.039	SI	5.599
EE	3.639	LU	3.022	SK	6.366
ES	27.220	LV	2.660	UK	21.648

Transnational projects shall count proportionately towards the indicative national allocations of the Member States involved.

Given the indicative nature of the above allocations, funds not used within an indicative national allocation may be allocated to projects submitted by other Member States which score more highly on the basis of the award criteria. Given this, the amounts set out in the above table are merely indicative and their attainment relies on sufficient quality projects coming from all the Member States.

1.1.8. Indicative timetable for call for proposals

Publication date	February 2012
Closing date for sending proposals to the national competent authorities	The dates for submission of projects to national authorities will be specified in the call for proposals
Closing date for national authorities to send proposals to the Commission	June 2012
Information to unsuccessful applicants based on eligibility criteria	July 2012
Award decision and information to unsuccessful applicants based on selection /award criteria	February 2013
Signature of grant agreements	March/April 2013

1.1.9. *Indicative budget and expected number of projects to be selected:*

Strand	Indicative Budget	Indicative number of projects to be selected
A) Nature and Biodiversity	Minimum EUR 138 355 000	100-160
B & C) Environmental policy and governance, information and communication	Maximum EUR 138 355 000	100-160
TOTAL	EUR 276 710 000	200 - 320

1.1.10. *Maximum rate of co-financing.*

Strand	Maximum rate of co-financing
A) Nature and Biodiversity	<p>The general co-financing rate is of maximum 50% of eligible costs.</p> <p>The co-financing rate may be raised up to maximum 75% of eligible costs for projects targeting priority habitats and species within the meaning of Directive 92/43/EEC or the species of birds considered as priority for funding under LIFE+ Nature and Biodiversity by the committee set up pursuant to Article 16 of Directive 2009/147/EC.</p>
B) Environmental policy and governance	The general co-financing rate is maximum 50% of eligible costs.
C) Information and communication	The general co-financing rate is maximum 50% of eligible costs.

1.2. Call for proposals – operating grants - promotion of non-governmental organisations (NGOs) primarily active in the field of environmental protection and enhancement at a European level

1.2.1. Introduction

Grants shall be covered by a written agreement.

Budget line: 07 03 07 - LIFE+ (Financial Instrument for the Environment — 2007 to 2013)

Legal basis : Regulation (EC) No 614/2007 of the European Parliament and of the Council of 23 May 2007 concerning the Financial Instrument for the Environment (LIFE+)⁵, and in particular Article 5(2), point (a) of Annex I and point 15 of Annex II.

1.2.2. Objectives of the call for proposals

In accordance with the multiannual priorities defined in Annex II to the Regulation (EC) No 614/2007, one of the principal objectives of the programme is to promote non-governmental organisations (NGOs) primarily active in the field of environmental protection and enhancement at a European level.

To this end, and in accordance with Article 5(2) of the Regulation, the Commission will publish in 2011 an open Call for proposals with a view to co-finance the operating costs of European environmental NGOs in relation to activities provided for in their annual work programme that involve contributing to the implementation and/or development of environmental policy and legislation of the Union, covering the year 2012.

1.2.3. Expected results of actions to be supported

- (a) strengthening the participation of NGOs in the dialogue process of environmental policy-making and in its implementation;
- (b) strengthening the participation of NGOs in the European standardisation process in order to ensure balanced stakeholder representation and the systematic integration of environmental aspects.

1.2.4. Specific targets /actions/ themes for 2012:

Support from this mechanism shall target in particular the priority areas from the Sixth Environment Action Programme, set out in Decision No. 1600/2002/EC of the European Parliament and of the Council⁶, grouped under four main headings as follows:

- (a) climate change;
- (b) nature and bio-diversity;
- (c) health and environment;
- (d) natural resources and waste.

⁵ OJ L 149 of 9 June 2007, p.1

⁶ OJ L242, 10.9.2002, p.1.

Within the abovementioned areas, implementation and enforcement of environmental legislation of the Union and improving the understanding and knowledge of environmental challenges shall be priorities.

1.2.5. Eligibility criteria.

An applicant organisation must be an independent and non-profit-making legal person primarily active in the field of environmental protection and enhancement with an environmental objective aimed at the public good and with a view to sustainable development.

It should be operating at a European level, either alone or in the form of several co-ordinated associations, with a structure and activities covering at least three European countries.

Its activities must meet, in particular, the principles underlying the Sixth Environment Action Programme and be in line with the priority areas as listed above in section 1.2.4.

The applicant must be legally constituted for more than two years and have had its annual statement of accounts for the two preceding years certified by a registered auditor. In cases of exceptional circumstances, notably regarding the creation of a new entity, the Commission may grant a derogation from these two requirements.

The support is open to the participation of European NGOs established (legally registered) in the Member States.

1.2.6. Selection criteria.

- Financial capacity: the applicant must be reliable from a financial point of view and have stable and sufficient sources of funding to carry out the work programme and to participate in its funding.

- Operational capacity: the applicant must have professional competencies and qualifications required to complete the proposed work programme; the applicant shall submit the curriculum vitae of the legal representative of the organisation and the main collaborators showing all their relevant professional experience to complete the proposed work programme, as well as one or more recent activity report(s) allowing an assessment of the organisation's objectives, activities and experience.

1.2.7. Award criteria

A points system according to the award criteria shall be established for evaluating and selecting organisations to be supported.

Proposed activities shall relate to the following priority areas:

- (a) Climate Change
- (b) Nature and Biodiversity
- (c) Environment and Health
- (d) Natural Resources and Waste

- (e) Horizontal or cross-cutting issues (such as standardisation).

The award criteria shall relate to the following:

- (c) The extent to which the application and, more specifically, the proposed work programme demonstrate policy relevance and potential impact of involvement in environmental implementation and/or policy-shaping of the Union. The policy relevance shall be demonstrated by clear links between the proposed work programme and relevant Union policy initiatives. The potential impact on implementation and/or formulation of the environmental policy of the Union must be explained, including the involvement of member organisations. Proposed activities contributing to implementation and enforcement of environmental policy and legislation as well as improving the understanding and knowledge of environmental challenges shall be given a special consideration.
- (d) The extent to which the application and, more specifically, the proposed work programme demonstrate policy relevance and potential impact of activities relating to environmental education and international aspects in relation to the priority areas.
- (e) Organisational capacity building effect: expected organisational development which would allow the NGOs to be a more effective partner in the policy process.

1.2.8. Indicative timetable for call for proposals:

Timing of call for proposals :	
Publication date	October 2011
Closing date	November / December 2011
Pre-notification of results	February/March 2012
Finalisation date for the grant agreements	June 2012

1.2.9. Indicative budget and expected number of projects to be selected:

Around 30 proposals for a total indicative budget of EUR 9 000 000.

1.2.10. Maximum rate of co-financing.

The rate of overall assistance by the Union shall not exceed 70% of eligible expenses of the applicant for the current year.

In accordance with Article 5(2) of Regulation (EC) No 614/2007, the operating grants to be awarded within the framework of this call for proposal shall not be subject to the degressivity provisions of the Financial Regulation.

1.2.11 Maximum amount for requests

The maximum amount that may be requested and awarded is fixed at EUR 900 000. For organisations that have been awarded an operating grant under this programme in 2011, the maximum amount that may be requested and awarded is limited to the same amount as the one requested for 2011, but shall not exceed EUR 900 000.

1.3. Grants to be awarded without a call for proposals in accordance with Article 168(1)(c) and 168(1)(f) of the Implementing Rules to the Financial Regulation

1.3.1. Grant to be awarded without a call for proposals in accordance with Article 168(1)(c) of the Implementing Rules to the Financial Regulation - Operating grant to the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL a.i.s.b.l.)

1.3.1.4. Introduction

The grant shall be covered by a written agreement.

Budget line : 07 03 07 - LIFE+ (Financial Instrument for the Environment — 2007 to 2013)

Legal basis : Regulation (EC) No 614/2007 of the European Parliament and of the Council of 23 May 2007 concerning the Financial Instrument for the Environment (LIFE+) (OJ L 149 of 9 June 2007, p.1), and in particular Article 5(2), points (e) and (g) of Annex I and point 13 of Annex II.

1.3.1.2. Beneficiary

European Union Network for the Implementation and Enforcement of Environmental Law (hereinafter IMPEL) international a.i.s.b.l., Belgium.

A Memorandum of Understanding setting out the principal arrangements of co-operation between IMPEL and the Commission was concluded in September 2009 between IMPEL (Chair of the Board on behalf of IMPEL) and the Commission (DG Environment on behalf of the Commission).

The Memorandum of Understanding does not contain provisions as regards financing by the Union budget. The provisions of the Memorandum of Understanding specify arrangements concerning mutual support and exchange of information, the possibility for the Commission to participate as observer in relevant IMPEL meetings and IMPEL participation in relevant Commission meetings, as well as provisions of organisational and administrative nature.

1.3.1.3. Objective of the action/project:

The objective of the action is to support the 2012 work programme of the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL), international non-profit association, by way of an operating grant for the budget year 2012.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on certain of the technical and regulatory aspects of environmental legislation of the Union. The objective of the association is to create the necessary impetus in the Union to make progress on ensuring a more effective application of environmental legislation. It promotes the exchange of information and experience and the development of environmental legislation, with special emphasis on environmental legislation of the Union.

The core objectives of IMPEL are:

- to ensure a more effective implementation and enforcement of environmental legislation in the Union,

- to share information and experiences, discuss problems and offer practical advice on implementation and enforcement of environmental legislation in the Union,
- to contribute to a greater consistency of approach in the implementation and enforcement of environmental legislation of the Union,
- to promote mutual understanding of the common characteristics and differences of national regulatory systems,
- to develop good and whenever possible best practices as regards inspection, permitting, monitoring, reporting and enforcement of environmental legislation of the Union.

At Member State level, IMPEL will facilitate the development of the national networking system on environmental permitting and inspection, paying particular attention to cooperation with the authorities at the local government level.

Most of the IMPEL activities take place within a project structure. The IMPEL multi-annual Work Programme 2011-2014, to be adopted in November 2011, will set the framework for future IMPEL activities. It will draw on the Sixth Environment Action Programme or its successor and the Recommendation 2001/331/EC of the European Parliament and the Council⁷ on minimum criteria for environmental inspections in the Member states.

The final adoption of the IMPEL projects for 2012 is planned for an extraordinary General Assembly in Brussels in November 2011.

1.3.1.4. Expected results

In accordance with Article 3(2) of Decision No 1600/2002/EC, the core of the IMPEL activities concerns the capacity building, minimum criteria for environmental inspections, exchange of information and experiences on implementation, enforcement and international enforcement collaboration on existing European environmental legislation, development of common views of Member States Inspectorates on the coherence and practicality of current Union legislation and on commenting issues of practicality and enforceability at an early stage in the development of new Union legislation, before a proposal is formally submitted.

Overall strategic goals of IMPEL are to contribute to a more consistent implementation and enforcement of Union environmental legislation across the Union and to avoid distortions of competition, to develop a common basis for the better performance of environmental inspection tasks within the Member States, through exchange of information and experience at different administrative levels, as well as through training and in-depth discussions on environmental issues and enforcement aspects, including monitoring and permitting processes. A further goal is to improve the quality of the environmental inspection mechanism through a networking system at both, the Union and Member State level.

IMPEL is well placed in the policy cycle providing feed-back from the regulators to policy makers and law makers. It promotes in particular directly the implementation of Recommendation 2001/331/EC by developing guidance for trainings of inspectors, performing reviews of inspectorates and inspection practices.

⁷ OJ L 118, 27.4.2001, p.41.

Throughout the Transfrontier Shipment of Waste activity, IMPEL will carry out series of projects identifying illegal shipments of waste and carrying out joint enforcement actions to improve the implementation of the Regulation (EC) N° 1013/2006 of the European Parliament and of the Council⁸ on shipments of waste. IMPEL carries out a total of 24 projects in 2011 and will continue along these lines in 2012.

IMPEL should also play in the future an important role during the different stages of the regulatory chain and could in particular give advice - on request or on its own initiative - on general questions regarding implementation and enforcement as well as on new draft proposals for Union legislation, in particular where the input of practical experiences is necessary. IMPEL has played an important role assisting the Commission in the review of the Directive 2008/1/EC of the European Parliament and of the Council⁹ on integrated pollution prevention and control (Codified version) , Directive 2003/87/EC of the European Parliament and of the Council¹⁰ on the establishment of a scheme for greenhouse gas emission allowance trading, Recommendation 2001/331/EC¹¹, Regulation No 1013/2006¹² and the Directive 2002/96/EC of the European Parliament and of the Council¹³ on waste electrical and electronic equipment.

1.3.1.5. Justification for proposing to award a grant without a call for proposals

IMPEL was set up in 1992 as a network of European regulators and authorities concerned with the implementation and enforcement of environmental law, and is, as such, a unique network. In order to ensure a more sustainable action, IMPEL decided, through its governing structure (plenary meeting), to set up an international non-profit association a.i.s.b.l. (association internationale sans but lucratif) under Belgian law.

As stated in Article 4 of the IMPEL statutes, member of the association can be an environmental authority or association of environmental authorities, which is based in a Member State of the Union, or an acceding or candidate country of the Union, or an EEA country, meaning that it brings together environmental regulators, policymakers and enforcement practitioners from all countries where environmental law of the Union is applied. As of June 2011, the organisation has 45 members from 32 countries.

There is no other body existing and conceivable in the Union carrying out the same tasks, since the association is the only European body which gathers environmental regulators, policymakers and enforcement agencies across the Member States of the Union in the sector of environmental law (Member States, acceding and candidate countries and Norway), covering practically all sectors of the environmental law of the Union with only few exceptions (nature conservation). IMPEL activities are therefore built on the basis of Union law.

IMPEL as regards its overall objective of promoting, supporting and contributing to the improvement of efficient implementation and enforcement of the environmental law of the Union covering a very broad scope, therefore holds a de facto monopoly position in Europe. It

⁸ OJ L 190, 12/07/2006, p.1

⁹ OJ L 24, 29.1.2008, p.8.

¹⁰ OJ L 275, 25.10.2003, p.32.

¹¹ OJ L 118, 27.4.2001, p.41.

¹² OJ L 190, 12/07/2006, p.1.

¹³ OJ L 37, 13.2.2003, p.24.

is the only European body of this type operating in the afore-described area. The association is thus in a de facto monopoly situation as referred to in Article 168(1)(c) of the Implementing Rules, because there is no other potential organisation which could perform the same tasks as those of IMPEL.

1.3.1.6. Timetable, indicative amount and maximum rate of co-financing.

Maximum amount of grant (EUR)	EUR 400 000
Finance rate (max)	70 % co-financing of the eligible operating costs.
Calendar for the award decision / concluding the grant agreement	January 2012 (covering the budgetary year 01/01/2012 to 31/12/2012)

The association pursues a general European interest, evidenced by the fact that IMPEL:

- works on harmonisation and development of the environmental inspection standards across European countries;
- is the only forum where cooperation among inspectors, in the context of joint enforcement of waste shipment, should take place, as prescribed by the Regulation No 1013/2006¹⁴;
- provides feedback to policy makers on problems arising from the implementation of EU environmental legislation of the Union.

IMPEL is therefore considered a body pursuing an aim of general European interest as referred to in Article 162(b) of the Implementing Rules of the Financial Regulation. Therefore it shall not be subject to degressivity, in accordance with Article 5(2) of Regulation (EC) No 614/2007.

1.3.2. *Grant to be awarded without a call for proposals in accordance with Article 168(1)(f) of the Implementing Rules to the Financial Regulation - Action grant to the World Health Organisation (WHO) – Reviewing scientific evidence of air pollution effects on health and the environment*

1.3.2.1. Introduction

The grant shall be covered by a written agreement.

Budget line: 07 03 07 - LIFE+ (Financial Instrument for the Environment — 2007 to 2013)

Legal basis : Regulation (EC) No 614/2007 of the European Parliament and of the Council of 23 May 2007 concerning the Financial Instrument for the Environment (LIFE+) (OJ L 149 of 9 June 2007, p.1), and in particular Article 5(2), point (c) of Annex I and points 4 and 9 of Annex II.

¹⁴ OJ L 190, 12/07/2006, p.1.

1.3.2.2. Beneficiary

The proposed beneficiary is the WHO (World Health Organisation). The WHO is an international organisation that represents the unique directing and coordinating authority on international health within the United Nations' system.

1.3.2.3. Objective of the action/project

The objective of the action is to provide scientific evidence on health aspects of air pollution, taking into account in particular key emerging air pollutants.

Air quality standards for the protection of public health are a key pillar of European Union policy and legislation and further work on such standards by consulting WHO is explicitly required. This action is an essential component of the preparation of the 2013 air quality thematic strategy package as health benefits are a key driver of EU air quality policy, and in particular the reviews of the air quality directives (2008/50/EC and 2004/107/EC)

1.3.2.4. Expected results

The action will provide:

- a policy-relevant overview of the current scientific evidence on health effects of air pollutants;
- an analysis of possible discrepancies between the state-of-the-art knowledge of the effect of the air pollution on health and the policies aiming at limiting the health impact of air pollution;
- an assessment of the need to revise WHO Air Quality Guidelines.

1.3.2.5. Justification for proposing to award a grant without a call for proposals

It is of paramount importance that the expected results of the action are achieved without the influence of the stakeholders interests and based only on the science evidence.

This particular situation makes the WHO uniquely placed to implement this action, taking into account its independence, its specialisation and the credibility and authority this organization enjoys on health related matter.

This is also acknowledged in standing EU acts, i.e.:

- Article 7 of the Sixth Environmental Action Programme sets out that the objective "achieving levels of air quality that do not give rise to significant negative impacts on and risks to human health and the environment" taking into account the WHO standards, guidelines and programmes.
- Article 32 of Directive 2008/50/EC on ambient air quality and cleaner air for Europe provides that in 2013 the Commission shall review the provisions related to PM_{2,5} and, as appropriate, other pollutants, and shall present a proposal to the European Parliament and the Council. The review shall be undertaken taking into account, inter alia, 'the latest scientific information from WHO and other relevant organisations'. Recital 2 of the same Directive further provides that 'appropriate objectives should be set for ambient air quality

taking into account relevant World Health Organisation standards, guidelines and programmes'.

Taking into account its specific key success features, this action does not fall within the scope of a call for proposals.

This justifies the award of a grant to this organisation without a call for proposals for the purposes of this action, in accordance with Article 168(1)(f) of the Implementing rules to the Financial Regulation.

1.3.2.6. Timetable, indicative amount and maximum rate of co-financing

Maximum amount of grant (EUR)	125 000
Finance rate (max)	50 %
Calendar for the award decision / concluding the grant agreement	September 2012

1.3.3. *Grant to be awarded without a call for proposals in accordance with Article 168(1)(f) of the Implementing Rules to the Financial Regulation - Action grant to the Organisation of Economic Cooperation and Development (OECD) – Development of policy instrument briefs to provide policy makers with detailed guidance on their use to foster business model eco-innovation*

1.3.3.1. Introduction

The grant shall be covered by a written agreement.

Budget line: 07 03 07 - LIFE+ (Financial Instrument for the Environment — 2007 to 2013)

Legal basis : Regulation (EC) No 614/2007 of the European Parliament and of the Council of 23 May 2007 concerning the Financial Instrument for the Environment (LIFE+) (OJ L 149 of 9 June 2007, p.1), and in particular Article 5(2), point (c) of Annex I and point 12 of Annex II.

1.3.3.2. Beneficiary

Organisation for Economic Co-operation and Development (OECD).

1.3.3.3. Objective of the action/project

The Eco-innovation Action Plan foresees exchange of information and knowledge between Member States on good environmental policy practices for improving eco-innovation development and uptake, and in turn improving the quality of the environment.

This action will produce policy briefs to address the specific policies that can help foster business-model eco-innovation. It will result in a set of policy instrument briefs that will provide policy makers with detailed guidance on the use of specific policy instruments, based on international good practices drawing on the OECD's experiences across 34 OECD member countries and many non-member economies. It will also provide guidance to help policy makers assess the specific barriers to eco-innovation in their own country, and to help them design policies suited for their own national context and experiences.

1.3.3.4. Expected results

The results of the "business-model eco-innovation module" will become part of the "Handbook on innovation policies – Fostering eco-innovation" published by OECD. The Handbook will become a learning tool for eco-innovation policies and will continue to have an impact beyond 2012.

The action is in particular expected to have the following results :

- establish a common basis regarding the appropriate mixture of policy actions as : incentive measures – technological and financial support for SMEs, taxation schemes, permits, awareness raising and training programmes, patenting rules promoting eco-innovation which will target policy makers, stakeholders and private sector at local, regional and national level;
- different business-model eco-innovation module will be produced regarding resource efficiency where water and raw material efficiency will be considered as a priority;

- this common basis will help defining the Country profiles in terms of eco-innovation performance and help following up national trends by comparison between these Country profiles and the business model described above;

- it will serve also as a basis for exchange of knowledge and good practices between Member States meeting in a High level working group and help them to establish their national road map on eco-innovation.

1.3.3.5. Justification for proposing to award a grant without a call for proposals

OECD is a leader in this field and has a high degree of technical competences as well as of specialisation in developing policy instrument briefs. These policy instruments briefs provide policy makers with detailed guidance on their use to foster business model eco-innovation. OECD enjoys a technical credibility and authority in this field acknowledged by OECD and non OECD member countries.

Moreover, OECD offers a wider geographical coverage for collecting best practice example as well as a privileged contact with governmental bodies to access to the data required to develop these sets of policy instruments briefs.

Taking into account its scope and basic characteristics, the proposed action cannot be covered by a call for proposals.

This justifies the award of a grant to this organisation without a call for proposals for the purposes of this action, in accordance with Article 168(1)(f) of the Implementing rules to the Financial Regulation.

1.3.3.6. Timetable, indicative amount and maximum rate of co-financing

Maximum amount of grant (EUR)	EUR 80 000
Finance rate (max)	50 %
Calendar for the award decision / concluding the grant agreement	February 2012

1.3.4. *Grant to be awarded without a call for proposals in accordance with Article 168(1)(f) of the Implementing Rules to the Financial Regulation - Action grant to the Organisation of Economic Cooperation and Development (OECD) – Designing and implementing innovative finance mechanisms for biodiversity*

1.3.4.1. Introduction

The grant shall be covered by a written agreement.

Budget line: 07 03 07 - LIFE+ (Financial Instrument for the Environment — 2007 to 2013)

Legal basis : Regulation (EC) No 614/2007 of the European Parliament and of the Council of 23 May 2007 concerning the Financial Instrument for the Environment (LIFE+) (OJ L 149 of 9 June 2007, p.1), and in particular Article 5(2), point (c) of Annex I and point 1 of Annex II.

1.3.4.2. Beneficiary

Organisation for Economic Co-operation and Development (OECD).

1.3.4.3. Objective of the action/project

The objective of this grant is to examine concrete aspects of designing and implementing innovative financial instruments, with a special emphasis on the ones promoted in the biodiversity strategy of the Union.

It would focus in particular on how to best leverage and engage private sector finance in the conservation and sustainable use of biodiversity and ecosystem services.

The work would be built on case studies within and outside the EU, and include a workshop to get direct input from countries that already have experience with implementation, to benefit from hands-on experience of effective design and implementation practices.

1.3.4.4. Expected results

This action will provide concrete options for the design and implementation of innovative financing instruments for biodiversity. This will provide practical direct input in the ongoing Commission work to implement the Europe 2020 Biodiversity Strategy. A number of Member States are currently testing pilot projects and envisaging the use of such instruments, and will directly benefit from the output of the project.

The action will build on lessons learnt from case studies within and outside the EU, to provide concrete options to deliver on the following main areas which are needed for effective finance mechanisms:

- Identifying clear goals and objectives,
- Securing sufficient and long term sources of finance (including from the private sector),
- Cost-effective allocation of resources (defining eligibility criteria and priorities i.e. for disbursement of funds or for participation in the mechanism),
- Robust monitoring and evaluation of performance to ensure objectives are met.

The main output will be policy-relevant suggestions for how to move forward, from theory to practice, to implement innovative financial instruments effectively and sustainably.

EU financial support for this work will ensure that the work produces outputs that supports EU policy. It will be used inter alia for developing case studies in the EU, benefiting from any conclusions in terms of possible improvement to existing schemes, or practical ways to move forward from pilot stages. Case studies outside the EU will also provide useful lessons on instruments that have so far not been used extensively in EU Member States, e.g. biodiversity offsets and payments for ecosystem services from private actors.

1.3.4.5. Justification for proposing to award a grant without a call for proposals

In order to implement the proposed action, it is necessary to build on previous experience in the analysis of innovative financial instruments as well as to enjoy authoritative super-partes

credibility and to be able to efficaciously boost the practical implementation of innovative financing instruments for biodiversity.

OECD combines the following key elements:

competence - OECD has a high degree of specialisation in the area of innovative financial instruments;

technical authority - OECD long-standing work on economic incentives, valuation techniques, and market creation resulted in the adoption of several council recommendation, which results are acknowledged not only by OECD members and that makes OECD a rigorous and credible reference organisation on the matter;

multidisciplinary character, to allow to draw on experience from other areas such as climate change finance..

The OECD has a long experience of work in this area, and has organised several workshops on the theme of innovative financial instruments in the past (www.oecd.org/env/biodiversity). Building on this experience, the OECD is well-positioned to fill the knowledge gap for implementing the biodiversity strategy i.e. designing and implementing instruments that are environmentally-effective, economically-efficient, and distributionally-equitable.

Taking into account its scope and basic characteristics, the proposed action cannot be covered by a call for proposals.

This justifies the award of a grant to this organisation without a call for proposals, in accordance with Article 168(1)(f) of the Implementing rules to the Financial Regulation.

1.3.4.6. Timetable, indicative amount and maximum rate of co-financing

Maximum amount of grant (EUR)	EUR 100 000
Finance rate (max)	50 %
Calendar for the award decision / concluding the grant agreement	January 2012