



To: Romano Prodi, President European Commission  
Jacques Barrot, Commissioner, DG Regional Policy  
Péter Balázs, Commissioner, DG Regional Policy  
Margot Wallström, Commissioner, DG Environment

Brussels, 15.07.2004

**Re: The New Cohesion Policy Regulations for 2007-2013**

Dear President, dear Commissioners,

We would like to take this opportunity to present you with our initial response to the new Cohesion Policy Regulations, adopted today by the College of Commissioners. Our more detailed analysis of the general regulation and the implementing regulations for ERDF, ESF and the Cohesion Fund will follow in due course.

I. Environmental NGOs welcome the fact that sustainable development, strengthened by the protection and quality of the environment, is identified as the overarching purpose of EU Cohesion Policy. This is the central message of our common position, entitled “Delivering Sustainable Development”<sup>1</sup>, launched at the Commission’s Cohesion Forum in May 2004.

Nevertheless, this may remain an empty gesture. Sustainable development and the protection and enhancement of the environment must be consciously integrated into all the relevant articles of the regulations, for example, specifying the ex-ante assessment of the environmental situation (as in current regulation 1260/1999/EC).

II. We welcome the reference to the consistency of assistance from the Funds with the ‘activities, policies and priorities’ of the Community. This includes, of course, those set out in the EU Sustainable Development Strategy, 6<sup>th</sup> Environmental Action Plan and compliance with the environmental *acquis*.

III. We welcome the requirement that strategic environmental assessment, Directive comes into force next week, must be applied to the European strategic orientation document, to national strategic reference frameworks and to operational programmes. The SEA should be conducted during the preparation of these documents in order to identify and avoid damaging impacts on the environment.

IV. We strongly recommend that the article on Partnership explicitly mentions competent environmental authorities. At the same time, we welcome the inclusion of other appropriate environmental partners (including environmental NGOs).

V. Member States must be required to place their national reference frameworks and operational programmes, together with relevant strategic, ex-ante, mid-term, ex-post and

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<sup>1</sup> The position paper is available at [www.coalition-on-eufunds.org](http://www.coalition-on-eufunds.org)

annual assessments on the internet, for public access and transparency. Publicity on co-financed programmes and operations is also welcomed.

VI. We are very concerned about the special attention given to “major projects” financed by ERDF and the Cohesion Fund. This sends the signal to Member States that the Commission would prefer large, one-off, expenditure instead of smaller, more environmentally friendly schemes. Large infrastructure projects (such as roads, dams, incinerators etc) are expensive, and are an often unnecessary and inefficient use of Community tax payers’ money. Therefore, we recommend that all the reference to ‘major projects’ is taken out from the Regulation.

VII. We welcome the fact that the proposed regulation enables the use of Structural Funds to support the Natura 2000 network (as stated in the ERDF regulation). However, it will be up to Member States to choose whether or not Europe’s protected sites are a funding priority. In order to meet the target to halt biodiversity decline by 2010, the Commission must require Member States to show how they intend to finance the Natura 2000 network.

VIII. We welcome the inclusion of water management under the scope of the ERDF regulation for the European territorial cooperation objective. Moreover, we strongly recommend that this should also be within the scope of the convergence and regional competitiveness objectives, thus contributing to the implementation of the Water Framework Directive.

IX. We strongly recommend that evaluation indicators include an equal mix of social, economic and environmental indicators. The Commission should develop a standard set of sustainable development indicators to be used by all Member States in the ex ante, mid-term and ex-post evaluation of Structural Fund programmes. These should include measurements to assess contribution of the Structural and the Cohesion Funds to the goals of the EU Sustainable Development Strategy and 6<sup>th</sup> Environmental Action Plan. As a positive incentive for change, the Community performance reserve must be allocated to Member States that contribute the most to EU sustainable development.

X. The Commission must withhold Funds where there is evidence that environmental laws have been breached and where there is risk of damage to Natura 2000 sites.

We hope that you will take our response into consideration during the forthcoming negotiations on the regulations and the strategic orientation of EU cohesion policy, and we look forward to discussing these issues with you further.

Yours sincerely,

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Magda Stoczkiewicz  
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Dr. Martin Rocholl  
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