



Enabling conditions

ENEA/MA Network Plenary Meeting – 9.06.2022

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Enabling conditions: state of play

Nature – covered already

Waste

- applicable to most MS and/or regions: 2 MS and a number of regions in bigger MS will not invest in PO 2.6.
- 8 MS have fulfilled (incl. 2 cond.), 3 MS close
- revision/submission of plans in large MS with regional plans ongoing

Water

- applicable to 18 MS
- 1 MS has fulfilled, 3 MS are close
- documentation assessed for 12 MS; other MS (only self-assessments)

Important to submit the documentation on the fulfilment of enabling conditions, as soon as complete info/plans are available as it takes time to assess the fulfilment of the conditions.

Water enabling condition: some tips

Updated planning for required investments in water and wastewater sectors

- The plan should at least **explain how each criterion is met** and make reference to documents with more info.
- The plan must cover the whole territory of the MS (an aggregation and summary of the information at national level).
- The plan itself should include most of the relevant detailed information directly available, as a **self-standing document**, providing the reader with the “**full picture**” of the “**logical flow**” of the **four criteria**.
 - ✓ 1st criterion provides a picture of current implementation status and compliance level
 - ✓ 2nd criterion lists the investments planned to reach full compliance
 - ✓ 3rd criterion lists the investments needed to stay compliant in the future for existing and planned infrastructure over a reasonable time horizon
 - ✓ 4th criterion sums up the investment sums needed to reach compliance (criterion 2) and to stay compliant (criterion 3) and gives info on their funding, when needed to complement user charges
- **Any other information** considered relevant by the MS for a **better understanding** of the situation.
- If the documentation complex and no “full picture”, a ‘**synopsis report**’:
 - ✓ **summarising** the situation and giving reference to all the plans
 - ✓ providing **reference to a number of documents/plans** and **explaining in sufficient detail** for an assessment to be complete based on the synopsis report alone, with **other documents as reference material, how criteria 1, 2a, 2b, 2c, 3, 4 are met**



Do no significant harm principle

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DNSH assessment in MS: experience so far

Methodology

- RRF (about 2/3*)
 - at least partially
 - sometimes also linked to SEA

Remaining MS:

- SEA
- own methodology
- no info yet

**Preliminary info*

Main issues

- assessment at the level of specific objectives
- assessment limited to the project implementation phase (no whole lifecycle)
- assessment limited to certain types of investments (e.g. infrastructure)
- insufficient coverage of CC adaptation and CE
- lack of coherence between SEA and DNSH
- missing statement in the programme about DNSH compatibility

Some potentially risky investments

- biomass
- biomethane in transport
- afforestation of peatlands
- transport infrastructure
- inland water navigation
- flood protection
- urban development
- ..

Some problematic actions excluded from programmes as a result of non-compliance with DNSH.

'Mitigating' measures to comply with DNSH

Legislative requirements

- legislative requirements guarantee avoiding majority of the eventual environmental/climate impacts

DNSH project level compliance

- DNSH screening at project level
- application of appropriate selection criteria/scoring systems to ensure that environmentally sustainable options are chosen
- set of mitigating criteria to be used as part of project selection criteria
- SEA mitigation enhancement measures and recommendations are to be taken into account during the programme implementation

Your comments???