

COHESION POLICY 2021-2027: AREAS OF INTEREST FOR THE CONSTRUCTION SECTOR

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CONTENT



- The DNSH principle
- Strategic Procurement

Respecting DNSH principle

Art 17 Taxonomy Regulation 2020/852

climate change mitigation (GHG emissions)

Climate change adaptation

sustainable use & protection of water and marine resources

circular economy

pollution prevention

control, protection & restor. of biodiversity & ecosystems

- significant greenhouse gas (GHG) emissions;
- increased adverse impact of the current climate and the expected future climate, on the activity itself or on people, nature or assets
- detrimental to a good status of water, incl. surface water and groundwater, or to the good environmental status of marine waters
- significant inefficiencies in using materials or natural resources, or increasing generation, incineration or disposal of waste
- significantly detrimental to the good condition and resilience of ecosystems, or detrimental to the conservation status of habitats and species
- significant increase in emissions of pollutants into air, water or land

How should the DNSH principle be applied in the context of the CPR?

Art. 9 CPR Horizontal Principles

2014-2020 (art 7 and 8 CPR)	2021-2027 (art 9 CPR)
Equality/non-discrimination Sustainable development	<ul style="list-style-type: none"> • EU Charter of Fundamental Rights • Gender, equality • Non-discrimination • Sustainable development/DNSH/ EU environment acquis
Art 7 (equality M and W) and art 8 ESF (EO, non-discrimination)	Art 6 ESF+ on GE, EO and non-discrimination

How should the DNSH principle be applied in the context of the CPR? Negative list ERDF/CF: art 7

- Decommissioning nuclear power stations
- Inv. for GHG emissions reduction from ETS activities
- Tobacco (products)
- undertakings in difficulties exc. DM/TFSA
- airport infrastructure exc. for outermost regions; env. Mitigation; security, safety and air traffic
- Disposing waste in landfill (exc. to make it safer);
- Treating residual waste (exc. Techn for circular economy)
- fossil fuels exc. Gas/Hydrogen/clean cars (with caps and no-phasing);
- CF no support for housing exc. EE/RE



How should the DNSH principle be applied in the context of the CPR? The enabling conditions 2021-2027

Conditions for success/ Enabling Conditions

- 20% of EU Cohesion blocked as 1/3 of ENC not fulfilled
- CY misses 8 ENC (Smart specialization, water/waste, water, waste, transport, labor market, gender equality, social inclusion/poverty reduction, health/long-term care)
- MT misses 4 ENC (Transport, Health, Energy, Water mgt)
- IT sicily misses 3 ENC: waste collection, water mgt, mobility
- HR misses 4 ENC (R&D system, equal Education, health care system, access to health insurance)

AT: all ENC fulfilled in ERDF/JTF
BG: all ENC fulfilled in ERDF
DK: all ENC fulfilled in ERDF

How should the DNSH principle be applied in the context of the CPR?

Art 21 Preparation and submission of programmes

- Dedicated assessment at programming phase
 - At level of actions
 - Risks and mitigating Measures
-
- No impact due to nature?
 - Compatible with RRF?
 - Compatible MS method?
 - Supporting documentation (SEA Directive)

Environmental and Do No Significant Harm (DNSH) Statement

The programme area has a wealth of environmental assets from Ireland's highest mountains, dramatic coastlines, and remote rural areas to fertile agricultural landscapes. Our rich urban environment includes a strong and historic network of cities, towns and villages. These have associated flora, fauna, biodiversity and cultural heritage assets, many of which are protected through European and National legislation, including Special Areas of Conservation, Special Protection Areas, Natural Heritage Areas and Proposed Natural Heritage Areas. The Programme includes environmental assessment documents, on Strategic Environmental Assessment (SEA), an Appropriate Assessment (AA) and a Strategic Flood Risk Appraisal Screening (SFRA).

Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, the programme will contribute to mainstreaming climate actions and to support activities that would respect the climate and environmental standards and priorities of the Union and would Do No Significant Harm (DNSH) to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council. To ensure compliance with the requirements for DNSH the programme will endeavour to support projects and activities that protect biodiversity, water, air & land quality, and marine resources, that encourages circular economy initiatives that reduce waste and increases recycling and that reduce greenhouse gas emissions.

At the project level, all applications for development consents for projects emanating from any policies that may give rise to likely significant effects on the environment will need to be accompanied by one or more of the following, as relevant:

- Ecological Impact Assessment Report (EclA);
- Environmental Report;
- Environmental Impact Assessment Report - if necessary, under the relevant legislation;
- Natura Impact Statement - if necessary, under the relevant legislation.

Environmental Assessment

- (a) Any reference to support for all plans, projects, activities and development in the Programme should be considered to refer to 'environmentally sustainable development' that has no adverse effects on the integrity of European sites and no net loss of biodiversity, that shall be subject to appropriate feasibility studies, best practice site/route selection (to consider environmental constraints such as landscape, cultural heritage, the protection of water quality, flood risks and biodiversity as a minimum), environmental assessment including EclA to support development management and where required, the completion of statutory SEA, EIA and AA processes as appropriate.

EC guidance

Guidance on climate
proofing

Guidance on DNSH in
RRF-facility

EGESIF_21-0025-00
DNSH in Cohesion
Policy

Compliance with the DNSH principle during programme implementation

5 general criteria: Selection of operations art 73.1 CPR

1. MA shall establish and apply criteria and procedures which are **non-discriminatory, transparent**
2. Ensure **accessibility** to persons with disabilities,
3. Ensure **gender equality**,
4. Take account of the **Charter of Fundamental Rights of the European Union**,
5. the principle of **sustainable development and of EU policy on the environment** in accordance with Article 11 and Article 191(1) TFEU

Compliance with the DNSH principle during programme implementation

10 criteria for selection of operations art 73.2 CPR

1. Contribution to SO-objective
2. Respect ENC
3. Scope of fund
4. Best fit between support, activities and achievements
5. EIA assessment if within scope 2011 Directives
6. Verify that law is followed when you start operation before applying for funds
7. No infringement art 258 TFEU
8. Financial resources beneficiary to cover operation and maintenance
9. No relocation
10. Climate proofing for investment infrastructures

Fit with programme and with strategy

Principles of Resource Efficiency

Conformity to rules/laws

Principles of durability, no relocation, viability

Compliance with the DNSH principle during programme implementation

DNSH Interreg

- <https://www.interregeurope.eu/project-ideas/sprint-dnsh-support-programmes-for-implementation-of-do-no-significant-harm-principle>

measure relating Community Health House, Homecare and Community hospital meets green public procurement (GPP).

measure requires economic operators renovating buildings to

ensure that at least 70 percent (by weight) of the construction and

non-hazardous construction and demolition waste (excluding material in the natural state from ID 17 05 04 of the European list of wastes established by Decision

2000/532/EC) generated during operations is prepared for reuse, recycling and other material recovery in accordance with the waste hierarchy and the EU Protocol

on Construction and Demolition Waste Management.

Appropriate areas will be provided to be designated for separate collection of waste generated by construction sites.

Mettre -> Objectif spécifique suivant sélection dans point 8

1) Critères de sélection « programme FEDER »

2) Critères de sélection « environnementaux » selon l'application du principe consistant « à ne pas causer de préjudice important - DNSH »

Quel est l'impact de votre projet sur les objectifs environnementaux mentionnés ci-dessous	négatif			neutre	positif		
	1	2	3	4	5	6	7
	---	--	-	0	+	++	+++
CO ₂ /climat							
Sol							
Eaux							
Biodiversité							
Nature 2000							
Air							
Bruit							
Modal Split (pour projet transport)							
Paysages							

Case réservée à l'AG : Coefficient « DNSH » : **XX**

CONTENT

- The DNSH principle
- **Strategic Procurement**

Strategic Procurement

SPP approach	ESI Programmes 2021-2027
Horizontal approach	<ul style="list-style-type: none"> • DE: all regional programmes • National ERDF-JTF Austrian programme • Most ETC programmes • SE: all regional programmes • SK: GPP/EMAS/Ecolabel in Policy Objective 2 • MT, HU, FI and NL: horizontal approach • <i>ES: Madrid only on innovation</i> • <i>DK: no horizontal approach</i>
Targeted approach	<ul style="list-style-type: none"> • IE: Southern, Eastern & Midland in each Specific Objective • ETC: Atlantic, Euro-Med, Central Europe, SI-HR, Meuse-Rhine, IT-FR • SE: in each Specific Objective (GPP); East Central Sweden and Skane mention Innovative PP) • DK: GPP in TA and Green transition SO • FI: GPP mentioned in SO (EE, RDI and Circular economy)
No mention	<ul style="list-style-type: none"> • CZ • DE: Thuringia • BE: Vlaanderen • FR: Bretagne, Nouvelle Aquitaine, Centre-Val-de-Loire, Auvergne-Rhone-Alpes, Provence-Alpes-Cote d'Azur
Selection criteria	<ul style="list-style-type: none"> • FR: Grand-Est ERDF ESF+ JTF

Strategic Procurement in Italy

SPP approach	Italian ESI Programmes 2021-2027
Horizontal approach	<ul style="list-style-type: none"> All National programmes and all regional programmes Veneto: Piano Azione Regionale (PAR) GPP
Targeted approach	<ul style="list-style-type: none"> GPP: Veneto, Basilicata for cultural actions, CAM Piemonte/Abruzzo, Innovation: Sardegna PCP/PPI, Calabria/Puglia/Lombardia/Campania
No mention	<ul style="list-style-type: none"> ESF+ regional programmes ESF+ FVG/Bolzano: GPP in Priority TA ERDF/ESF+ Calabria: PP access for social economy
Selection criteria (Monitoring Committees)	<ul style="list-style-type: none"> ERDF Trento: GPP/CAM as award criteria while ESF + Trento: EC Social Buying guide ESF+ Sardegna: Social Procurement
Council Implementing Decision CID on the NRRP plan	<ul style="list-style-type: none"> Reform to adopt Minimum Env. Criteria CAM for cultural events. National Strategy Circular Economy: GPP Technical support to local authorities on GPP

Strategic procurement in Italian regional programmes 2021-2027

Italian Programmes	Action	Strategic Procurement
ERDF Sardegna	Action Digitalization of SME in accordance with the CO2 emissions requirements	Green Procurement
ERDF Puglia	Action 7.3 Modernization of social infrastructures	Social and Innovative Procurement
ERDF Lombardia	Action 2.1.1 Enhancement of renovation and requalification of the energetic efficiency of public structures and infrastructures	Green Procurement
ERDF Veneto	Action 2.1.1.2 Making citizens, enterprises, research organizations or public authorities to understand the advantages of digitalization	Pre-commercial Procurement (PCP)
ERDF Liguria	Action 5.1.1 Territorial strategies for sustainable development of urban areas to have greener, safer, and more resilient, inclusive, and innovative cities	Green Procurement & Social and Innovative Procurement

Strategic Procurement 2021-2027

OP	Horizontal Approach	Targeted approach
<p>Interreg Atlantic Area 2021-2027</p>	<p>Practical measures (e.g., use of green public procurement, nature-based solutions, lifecycle costing criteria, etc.) will be identified in the <u>Programme manual</u> for all relevant types of actions to ensure their systematic application.</p> <p>During the implementation of the <u>Programme</u>, the Managing Authority (MA) will promote the strategic use of public procurement to support policy objectives (PO) (including professionalization efforts to address capacity gaps). Beneficiaries should be encouraged to use more quality-related and lifecycle cost criteria. When feasible, environmental (e.g. green public procurement criteria) and social considerations, as well as innovation incentives, should be incorporated into public procurement procedures. Actions to promote the strategic use of procurement will be adopted during the life cycle of programming such as capacity building events and support to beneficiaries, sharing good practices, message in calls for proposal documents, evaluation grids, and grant contract conditions. A dialogue with control institutions on this matter will also be promoted.</p>	<p>Specific action in SO Circular economy: Develop & test approaches enhancing market demand for recycled materials and products (e.g., sustainable public procurement, <u>ecodesign</u>)</p>
	<p>ERDF <u>Sardegna regional programme</u> 2021-2027</p>	<p><u>Specific Objective R&I</u> Azione 1.1.3. Rafforzamento della domanda pubblica per l'innovazione mirato ad accrescere la propensione a investire del sistema produttivo L'azione è finalizzata a corrispondere all'esigenza di innovazione espressa dalla PAA nei settori della S3 ed è complementare alle altre iniziative promosse a IT 44 IT sostegno dell'ecosistema regionale della ricerca. In continuità con quanto realizzato nel ciclo 2014-20 sono agevolate iniziative volte a fare leva e accelerare gli investimenti in innovazione da parte delle imprese negli ambiti previsti dalla S3, valorizzando il ruolo della PA quale sperimentatore, primo utente/acquirente e co-promotore dell'innovazione attraverso appalti pubblici <u>pre-commerciali</u> (<u>Precommercial</u> Public Procurement) e Procurement <u>dell'innovazione</u>.</p>

Training MA on GPP DG REGIO

- https://ec.europa.eu/regional_policy/policy/how/improving-investment/training_en

ANY QUESTIONS?

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Annex I CPR: ERDF, CF, ESF+, and JTF intervention codes (climate/env. contribution)

- 01-37 RTD, innovation and entrepreneurship, Information Society / ICT
- 38-86 EE/RE, circular economy, climate, waste, environment, risk protection
- 87-120 Transport
- 121-164 Adaptability to change, access to employment, health, social inclusion, human capital, social economy, Roma
- 165-178 Tourism/culture, territorial development, ACB, outermost regions, cross-financing
- 179-182 Technical assistance

EC guidance

Guidance on climate proofing

Guidance on DNSH in RRF-facility
EGESIF_21-0025-00 DNSH in
Cohesion Policy

Guidance on conflict of interest in
EU budget

Non paper: List of programme
specific indicators related to COVID
19 response

Gender mainstreaming in ESF+

Checklist: How to target & support
people experiencing homelessness
with the ESF+

Mini-toolkit: ESF+ for actions to
combat poverty & social exclusion
of children

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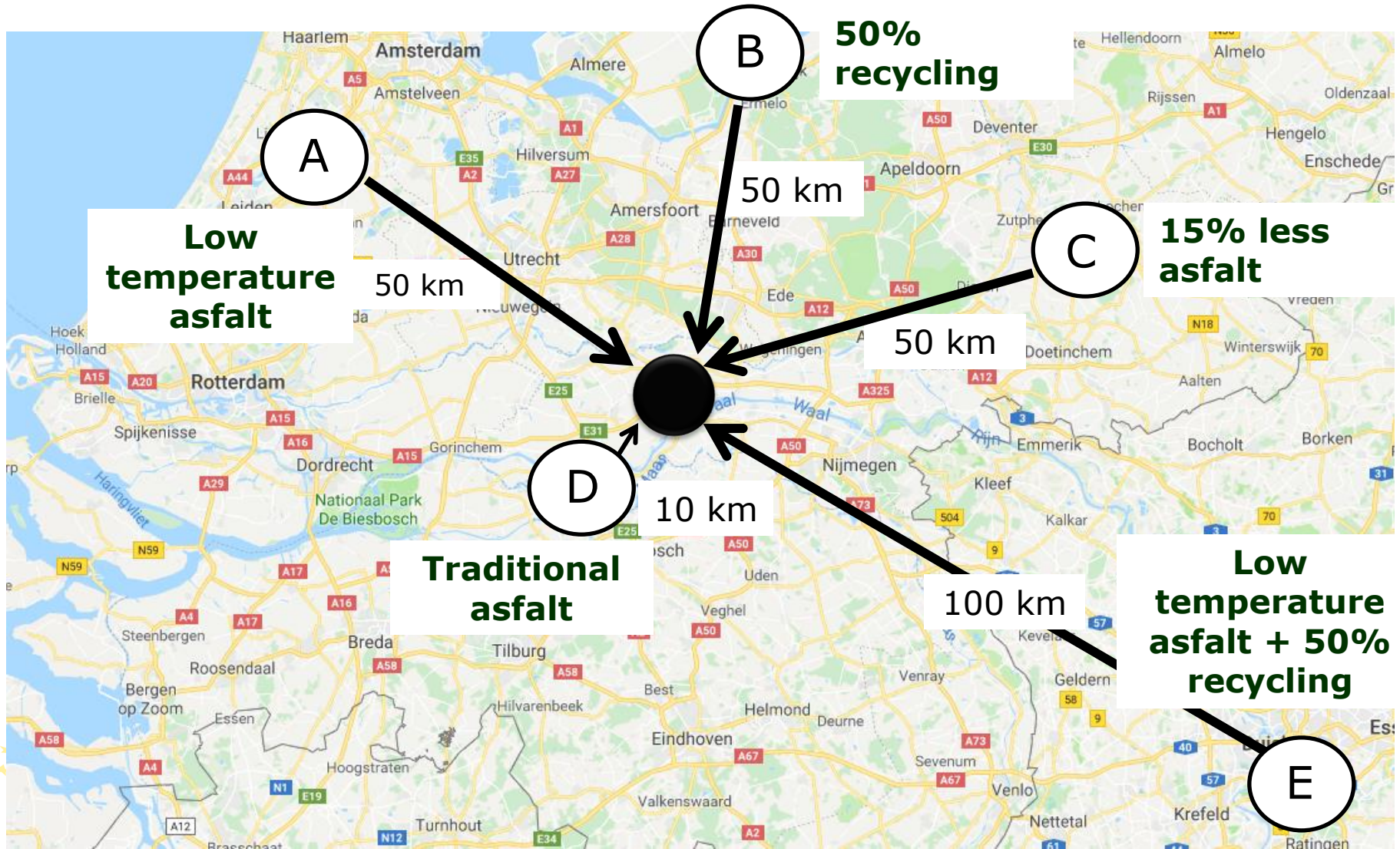
Checklist: How to target & support
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European
Commission

Dubocalc: Which offer is better?



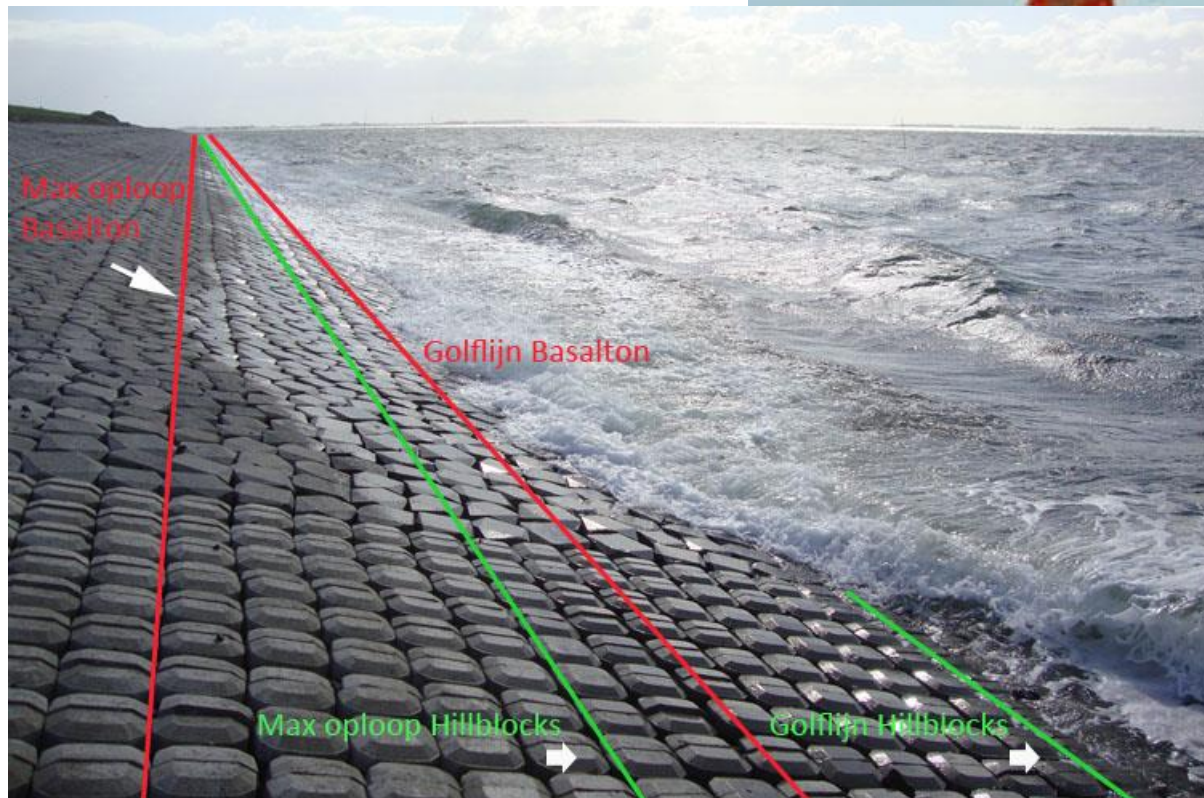
The CO₂ Performance Ladder is...

- A carbon management system with 5 levels of certification
- A procurement system which allows the certificate to be used as proof of project delivery during execution of projects
 - Extra effort is rewarded: a higher score on the ladder means a higher advantage in the tendering process
 - Fully compatible with European regulations and the Public Procurement (Tendering Rules) Directive.



European
Commission

Hill-Blocks Legal case!!



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ERDF and climate change

- Priority A “ sustainability, decarbonization, biodiversity”
- **Action “ energy efficiency in enterprises” worth 100 Mn EUR**
- 70% of resources in “EE and demonstration projects in SME or large companies and supporting measures compliant with EE criteria” (intervention code 040)
 - **To obtain maximum support to climate**
 - **Reach at least medium depth-level renovation – EC Recommendation 2019/786**
 - **Or achieve 30% reduction of CO2 emissions**
- Climate contribution : 70 Mn EUR