



EU environmental requirements and projects co-financed under the Cohesion Policy

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Conference 3-4 June 2008, Warsaw

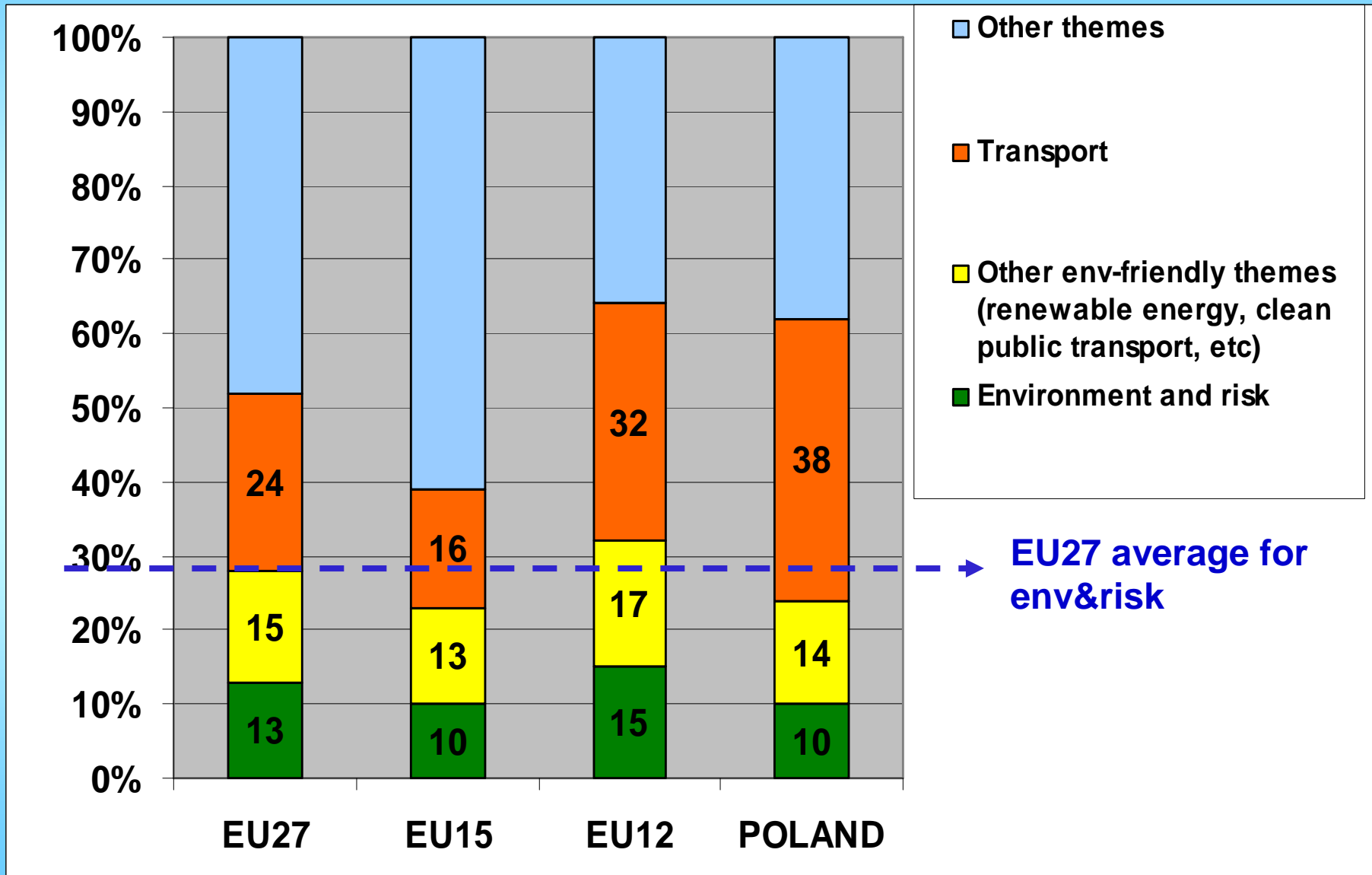


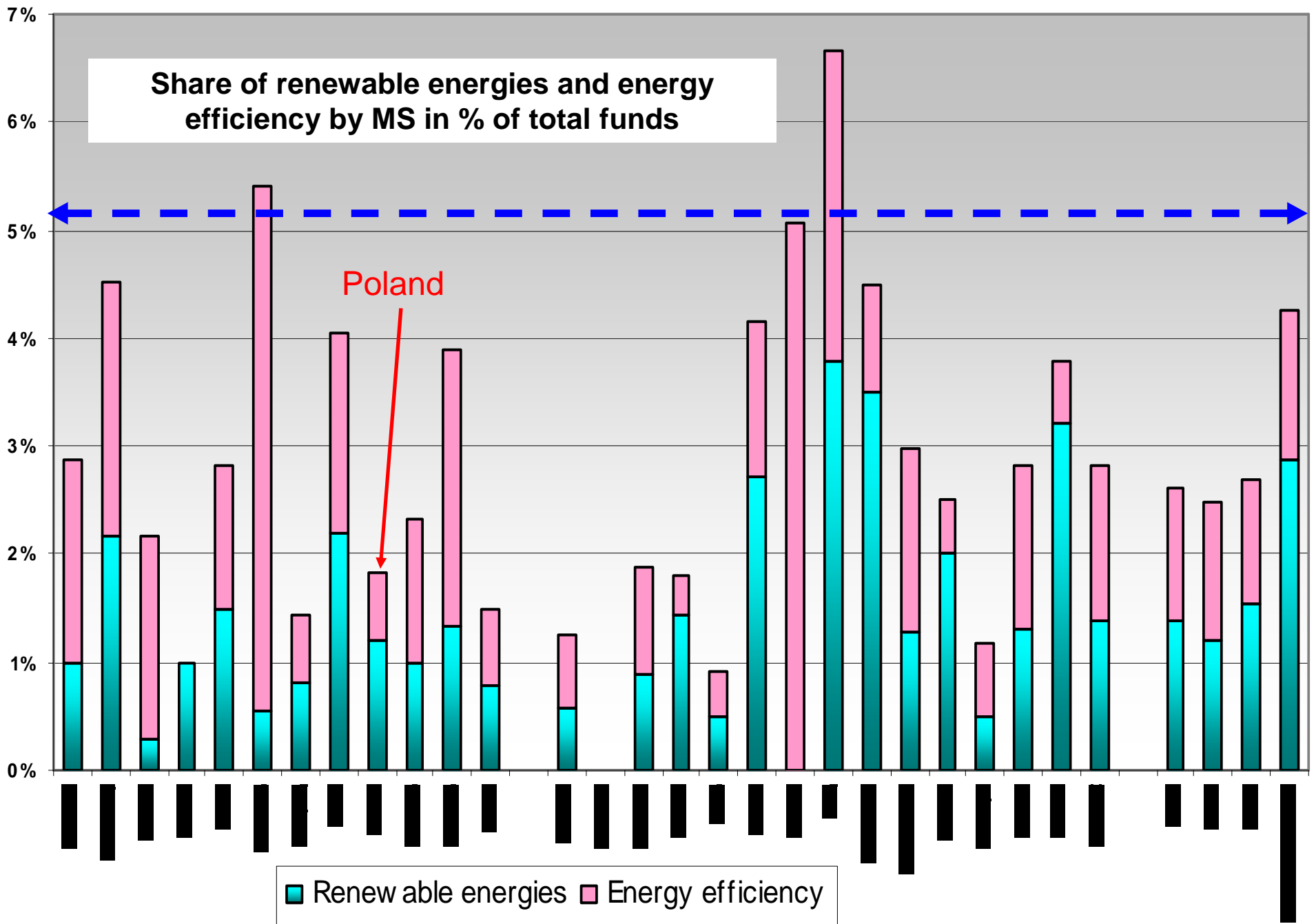
Introduction

- Poland will receive around **€68 billion** from the Cohesion Policy for the 2007-13 period
 - Significant absorption **challenge and opportunity**
 - € 6.5 billions foreseen for **environment & risk**
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Cohesion Policy for environment - % of Funds for selected themes







Cohesion Fund 2000-6 in Poland Experience (1)

Total allocation: ISPA (2000-3) – €1.45 bn
Cohesion Fund (2004-6) – €4.2 bn

Type of project	Number of projects	Total grant (€ millions)
Technical assistance	3	16
Air protection	1	54
Waste management	7	89
Waste water management	79	2.696
Total	90	2.855

- almost 90% of environmental projects are waste water management (which represent 95% of total funds for environment)
- 50% of Cohesion Fund for environment



Cohesion Fund 2000-6 in Poland Experience (2)

- **Conditions** for payments for the projects (resulted from non-conformity with EIA, Habitats and Birds Directives)
 - **Insufficient designation of Natura 2000 sites**
 - **Incorrect transposition of the EIA Directive into Polish law**
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Key challenges for Poland 2007-13

- Implementation of the **heavy** investment **acquis** (water, waste, IPPC, etc.)
 - **Respect of environmental rules** (EIA, SEA, Natura 2000, water and waste framework directives, etc.)
 - **Implementation of EU policy** (halting biodiversity loss, etc.)
 - Implementation of the **EU Climate and Energy package**
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Implementation of EC acquis (1)

Cost in billions € *

EU Directive	End of transposition period	Costs of implementation	Already invested in 31/12/2006
UWWTD	2015	10	4.4
Landfills	2012	3.3	0.3
Packaging	2007	1.4	0.3
Large Combustion Plant (LCP)	2015 for SO ₂ and PM 2017 for NO _x	0.4	n/a
IPPC	2010	10	n/a
Total	-	25.1	5.0

* Based on information provided by Poland during negotiation of OPs in August 2007



Implementation of EC acquis (2)

Around €8.6 billion will be needed for the implementation of two key Directives * : UWWTD and the landfills Directive to comply with the transition periods in the Accession Treaty

Is funding foreseen under OPs sufficient to timely implement the Directives?

* According to the information submitted by Poland to the Commission during negotiations of the Polish OPs in August 2007



Respect of EC *acquis* (1)

Article 9(5) of the General Provisions Regulation 1083/2008/EC: “operations financed by the Funds shall comply with the provisions of the Treaty and of acts adopted under it.”

- **Open infringements are a main obstacle:**
 - **EIA Directive** – incorrect transposition of the Directive into Polish law
 - **Habitats Directive** – incorrect transposition of the Directive **and** insufficient designation of the Natura 2000 sites



Respect of EC *acquis* (2) EIA Directive

- Poland must ensure correct transposition of Directive, as soon as possible
 - Guidelines can only be a transitional and temporary measure until the new EIA law is adopted so projects can be assessed case-by-case on the basis of them and in the light of the Directive
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Respect of EC acquis (3)

Financing conditionality

Due to **insufficient designations of Natura 2000** sites by Poland, the Commission agreed to approve the 2007-13 OPs (ERDF and CF) under the **condition**:

“Co-financing of projects, which may have negative impacts on non-designated Natura 2000 sites (i.e. the sites which according to the Commission should have been designated by Poland by 01.05.04) will not be permitted.”



Respect of EC acquis (4)

Financing conditionality

The condition relates to all potential Natura 2000 sites, which should have been designated before Poland accession to the EU, i.e. 01.05.04, and which are subject to infringement procedure for non-compliance with the Habitats Directive.

The managing institution is responsible for the influence of this condition for example by appropriate selection criteria, checklist, guidelines for project beneficiaries, etc.



Implementation of EC policies (1)

Mitigation and adaptation to climate change

- Greenhouse gases emissions reduction will be necessary after 2012 in order to reduce global warming by 2°C (legislative package adopted by Commission on 23/01/2008 on ‘Climate change and renewable energies’)
 - EC Funds should support projects which reduce greenhouse gases emissions and contribute to mitigation and adaptation to climate change
 - Combating climate change should be integrated horizontally (energy saving, building standards, etc)
 - Avoid infrastructural projects which ‘lock’ consumers in high-emission behaviour
 - “Carbon proofing”
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Implementation of EC policies (2)

Natura 2000 and biodiversity

The European Council in March 2006 has endorsed the following line for action:

“urgent implementation of the EU objective of halting the loss of biodiversity by 2010, notably by integrating its requirements into all relevant Lisbon agenda policies (...)”

How to integrate this objective into Cohesion Policy?

- **Direct financing**
 - **Compliance with Habitats and Birds Directives**
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Conclusions

- **2007-13 Poland receives 5x more EC Funds than 2000-6**
 - **Implementation of Accession Treaty obligations is a financing priority**
 - **Correct transposition and application of EC directives is a pre-condition for EC financing**
 - **EC directives and policies must be respected and taken into account in the preparation of adequate project pipelines**
 - **Build capacity at central and regional/local levels of public administration and involvement of the NGOs**
 - **Share and exchange best practices**
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Further information:

European Commission's websites:

http://ec.europa.eu/regional_policy/index_en.htm

http://ec.europa.eu/environment/funding/intro_en.htm

http://ec.europa.eu/environment/integration/cohesion_policy_en.htm

<http://ec.europa.eu/environment/eia/home.htm>

<http://www.environment-agency.gov.uk/grdp/>



Thank you

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