

COMMENT

Comment

of the German Insurance Association (GDV)
ID-number 6437280268-55

on the EU-Commission's Proposal amending Delegated
Regulation (EU) 2021/2139 and 2023/2486 as regards
enhancing the usability of the technical screening crite-
ria



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Introduction

GDV appreciates the possibility to give feedback on the EU Commission's proposals to amend the Technical Screening Criteria (TSC) of the Taxonomy regulation (i.e., Delegated Regulations 2021/2139 and 2023/2486). German (re)insurers share the EU Commission's goals for a climate neutral continent as well as a green transition and we support the efforts made in this respect. We also support attempts to facilitate the application of the highly complex TSC. We suggest additional amendments to the TSC to make the application more manageable for users and more comparable for investors.

Proposal for additional amendments to annex I and II to Delegated Regulation 2021/2139

1. Renewable energy generation, especially activities 4.1, 4.2 and 4.3

The generation of more renewable energy is crucial for achieving the climate goals in Europe and for the transition to a climate neutral continent. Nevertheless, the TSC for relating infrastructure investments (e.g. wind and solar parks, energy-efficient technologies and clean mobility solutions) are in our view highly complex, excessively detailed, and insufficiently practicable for application.

Generally, the requirements for demonstrating a substantial contribution seem achievable. But the DNSH criteria, by contrast, impose very high hurdles so that compliance with the DNSH in some cases is difficult or almost impossible to fulfil.

One problematic example is the DNSH criterion on biodiversity. Additional data collection is frequently required even though similar information is already available through PAI or CSRD reporting. Recognition of these existing data sources to a larger extent could significantly improve both practicality and consistency of the requirements.

Likewise, the DNSH requirement relating to the circular economy for infrastructure assets such as wind and solar parks should be fundamentally reconsidered. In its current form, the requirement leads to disproportionate obligations that do not adequately reflect the transformation benefits of these assets.

2. Construction of new buildings, activity 7.1

For new buildings, the technical screening criterion requires compliance with the zero-emission building requirements in Article 11 of Directive 2024/1275 to comply with substantial contribution to climate change mitigation. However, the definition of criteria and thresholds for a zero-emission building is not exactly defined Europe-wide, given the fact that the relevant Energy Performance of Buildings Directive 2025/1275 leaves the specific details of the thresholds to the member

states. As a result, the reported taxonomy alignment figures are not comparable.

Ambiguity still exists on what may be considered sufficient to claim a substantial contribution to climate change adaptation, most of all for those buildings not exposed to significant risks. Consideration of this criterion would need substantial clarifications in FAQs.

3. Renovation of buildings, activity 7.2

For renovation measures the EU Commissions' proposal leaves the current situation mainly unchanged, i.e. at least 30 % Primary Energy Demand (PED) reduction or “major renovation” according to the national definition. The latter is for example in Germany not adequately operationalized. Additionally, the DNSH requirements are tightened, including significantly increased requirements for recycling rates under waste/circular economy provisions.

We are concerned, that the tightening of the criteria may lead to a lack of incentive, i.e. to renovate buildings and report higher taxonomy alignment numbers, even though such renovations are sensible from an energy economics perspective and politically desired.

Furthermore, a large share of realistically financeable renovation measures in the residential sector cannot be mapped into a formally clean 7.2 Taxonomy schema (e.g. step by step refurbishments, individual measures over several years).

We are of the opinion, that this runs against the aim of supporting the transformation of the building stock - especially in the private residential segment - through the financial sector.

4. Acquisition and ownership of buildings, activity 7.7

For buildings built before 31 December 2020, the proposed TSC require

- an Energy Performance Class (EPC) of A or
- the building must be within the top 15 % of the national or regional building stock expressed as operational Primary Energy Demand (PED) and demonstrated by adequate evidence to comply with substantial contribution to climate change mitigation.

It should be clarified if the benchmark must be “restricted” to buildings built before 31 December 2020 or if a “unrestricted” benchmark across all buildings may be used until such a “restricted” benchmark is developed. Additionally, clarification is needed for the time where a reliable and practicable (new) benchmark is under development.

Furthermore, following the proposed tightening of the TSC by linking them to a zero-emission building, appropriate grandfathering rules (Proposal: 5 years) must

be granted for buildings currently qualified as taxonomy aligned, as they may fall out of the reported alignment numbers without any physical deterioration of the building. The proposal directly affects negatively the currently reported taxonomy alignment numbers.

For buildings that are large non-residential buildings, the technical screening criterion requires an efficient operation through energy performance monitoring and assessment to comply with substantial contribution to climate change mitigation.

As with the current version of the Annex, it is unclear what constitutes a large non-residential building. It could be read as a large non-residential building is characterized by an effective rated output for heating systems, systems for combined space heating and ventilation, air-conditioning systems or systems for combined air-conditioning and ventilation of over 290 kW.

However, in other economic activities related to real estate, the criterion defining large is often the floor space. It should be clarified what “large non-residential” means in this case.

Furthermore, it must be clarified, e.g. in FAQs, what constitutes a substantial contribution to climate change adaptation, as most of those buildings are not exposed to significant risks.

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