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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL IMPLEMENTING DECISION amending the Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Belgium

COUNCIL IMPLEMENTING DECISION

of ...

**amending the Implementing Decision of 13 July 2021
on the approval of the assessment of the recovery
and resilience plan for Belgium**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility¹, and in particular Article 20(1) thereof,

Having regard to the proposal from the European Commission,

¹ OJ L 57, 18.2.2021, p. 17, ELI: <http://data.europa.eu/eli/reg/2021/241/oj>.

Whereas:

- (1) Following the submission of the national recovery and resilience plan ('RRP') by Belgium on 30 April 2021, the Commission has proposed its positive assessment to the Council. On 13 July 2021, the Council approved the positive assessment by means of an implementing decision ('the Council Implementing Decision of 13 July 2021')². The Council Implementing Decision of 13 July 2021 was amended by Council implementing decisions of 8 December 2023³ and 10 December 2024⁴.
- (2) On 7 January 2025, Belgium made a reasoned request to the Commission to make a proposal to amend the Council Implementing Decision of 13 July 2021 in accordance with Article 21(1) of Regulation (EU) 2021/241 on the grounds that the RRP is partially no longer achievable because of objective circumstances. On that basis, Belgium has submitted an amended RRP.

Amendments based on Article 21 of Regulation (EU) 2021/241

- (3) The amendments to the RRP submitted by Belgium because of objective circumstances concern one measure.

² See documents ST 10161/21 and ST 10161/21 ADD 1 at <http://register.consilium.europa.eu>.

³ See documents ST 15570/23 and ST 15570/23 ADD 1 at <http://register.consilium.europa.eu>.

⁴ See documents ST 15974/24 and ST 15974/24 ADD 1 at <http://register.consilium.europa.eu>.

- (4) Belgium has explained that one measure has been amended in order to implement a better alternative that allows for the reduction of the administrative burden while still achieving the objectives of that measure. This concerns milestones 68 and 69 under measure I-2.09 (Digitalisation of the Flemish Government of the Flemish Region) and the description of investment I-2.09 under component 2.2 (Public Administration). On this basis, Belgium has requested that unnecessary background information or procedural elements that do not contribute to the objectives of the measure be removed, and that the description of the measure and the milestones, which cause an unjustified administrative burden with regard to the achievement of the objectives of the measure, be simplified. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (5) The Commission considers that the reasons put forward by Belgium justify the amendments pursuant to Article 21(2) of Regulation (EU) 2021/241. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

Correction of clerical errors

- (6) 14 clerical errors have been identified in the text of the Council Implementing Decision of 13 July 2021, affecting five milestones and five measures under six components. The Council Implementing Decision of 13 July 2021 should be amended in order to correct those clerical errors, which do not reflect the content of the RRP submitted to the Commission on 13 July 2021, as agreed between the Commission and Belgium. Those clerical errors relate to the name of milestone 63 in the table ‘second instalment (non-repayable support)’, the description of investment I-3A (Cycling infrastructure), the description of investment I-3.03a (Cycling infrastructure – Vélo Plus – RBC of the Brussels-Capital Region) under component 3.1 (Cycling and walking infrastructure), the name of measure I-3F (Smart Mobility tools of Brussels Capital Region), the description of investment I-3.15a (FLOYA app of the Brussels-Capital Region) under component 3.2 (Modal Shift), milestone 119 of reform R-3.04 (Charging stations – WAL) under component 3.3 (Greening Road Transport), the name of milestone 174 in the table ‘Third instalment (non-repayable support)’, the name of milestone 187 in the table ‘Sixth instalment (non-repayable support)’, the name of milestone 206 in the table ‘second instalment (non-repayable support)’, the name of measure I-7.05 in the table ‘fifth instalment (non-repayable support)’, and the amounts mentioned in paragraph 2 (Estimated total cost of the Recovery and Resilience Plan). Those corrections do not affect the implementation of the measures concerned.

Commission's assessment

- (7) The Commission has assessed the amended RRP against the assessment criteria laid down in Article 19(3) of Regulation (EU) 2021/241.
- (8) The Commission considers that the amendments put forward by Belgium do not affect the positive assessment of the RRP set out in the Council Implementing Decision of 13 July 2021 on the approval of the assessment of the RRP for Belgium regarding the relevance, effectiveness, efficiency and coherence of the RRP against the assessment criteria laid down in Article 19(3) of Regulation (EU) 2021/241. This is without prejudice to the assessment of the Commission of milestones 250 and 251 within the audit and control component of the Annex.

Positive assessment

- (9) Following the positive assessment by the Commission of the amended RRP, with the finding that the RRP satisfactorily complies with the criteria for assessment set out in Regulation (EU) 2021/241, in accordance with Article 20(2) of and Annex V to that Regulation, the reforms and investment projects necessary for the implementation of the amended RRP, the relevant milestones, targets and indicators, and the amount made available from the Union for the implementation of the amended RRP in the form of non-repayable financial support should be set out.

Financial contribution

- (10) The estimated total cost of Belgium's amended RRP is EUR 5 279 567 854. As the amount of the estimated total cost of the amended RRP is higher than the updated maximum financial contribution available for Belgium, the financial contribution determined in accordance with Article 4a of Regulation (EU) 2021/1755 of the European Parliament and of the Council⁵ and Article 20(4) and Article 21a(6) of Regulation (EU) 2021/241 allocated for Belgium's amended RRP should be equal to EUR 5 033 950 235. Therefore, the financial contribution made available to Belgium remains unchanged.

Loans

- (11) The loan support made available to Belgium amounting to EUR 244 200 000 remains unchanged.
- (12) Council Implementing Decision of 13 July 2021 should therefore be amended accordingly. For the sake of clarity, the Annex to the Council Implementing Decision of 13 July 2021 should be replaced entirely,

HAS ADOPTED THIS DECISION:

⁵ Regulation (EU) 2021/1755 of the European Parliament and of the Council of 6 October 2021 establishing the Brexit Adjustment Reserve (OJ L 357, 8.10.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/1755/oj>).

Article 1

The Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Belgium is amended as follows:

- (1) Article 1 is replaced by the following:

‘Article 1

Approval of the assessment of the RRP

The assessment of the amended RRP of Belgium on the basis of the criteria provided for in Article 19(3) of Regulation (EU) 2021/241 is approved. The reforms and investment projects under the RRP, the arrangements and timetable for the monitoring and implementation of the RRP, including the relevant milestones and targets related to the payment of non-repayable financial support and the additional milestones and targets related to the payment of the loan, the relevant indicators relating to the fulfilment of the envisaged milestones and targets, and the arrangements for providing full access by the Commission to the underlying relevant data are set out in the Annex to this Decision.’;

- (2) the Annex is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at ..., ...

For the Council

The President
