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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
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Subject:	Proposal for a COUNCIL IMPLEMENTING DECISION amending Implementing Decision (EU) (ST 10161/21 INIT; ST 10161/21 ADD1) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Belgium

Delegations will find attached document COM(2024) 555 final.

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Proposal for a

COUNCIL IMPLEMENTING DECISION

amending Implementing Decision (EU) (ST 10161/21 INIT; ST 10161/21 ADD1) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Belgium

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Proposal for a

COUNCIL IMPLEMENTING DECISION

amending Implementing Decision (EU) (ST 10161/21 INIT; ST 10161/21 ADD1) 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 Facility[1], and in particular Article 20(1) thereof,

Having regard to the proposal from the European Commission,

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. The Council approved the positive assessment by means of the Council Implementing Decision of 13 July 2021[2]. That CID was amended on 8 December 2023[3].

(2) On 25 October 2024, 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 24 measures.

(4) Belgium has explained that two measures have been amended to implement better alternatives in order to achieve the original ambition of the measure. This concerns milestone 18 and milestone 20 under investment I-1.15: 'An industrial value chain for hydrogen transition' of the Federal State, the description of investment I-1.15: Emerging energy technologies and milestone 186, milestone 187 under investment I-5.11:'Strengthen R&D' of the Flemish Region, and the description of investment I-

[1] OJ L 57, 18.2.2021, p. 17.
[2] ST 10161/21 INIT; ST 10161/21 ADD 1.
[3] ST 15570/23 INIT; ST 15570/23 ADD 1.

5.11 under component 5.2: Supporting economic activity. On this basis, Belgium has requested to amend the aforementioned milestones and measures. Furthermore, Belgium has requested to remove milestone 112 under investment I-3.15: 'Smart Move', under component 3.2: 'Modal Shift' and target 246 under investment I-7.25 'Charging infrastructure for busses of the Brussels-Capital Region', under component 7.4: Mobility. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(5) Belgium has further requested to use the resources freed up by the removal of the Smart Move investment under Article 21 of Regulation (EU) 2021/241 to add three new measures. This concerns milestone 112 under investment I-3.15a – 'Floya App' of the Brussels-Capital Region and investment I-3.15b: 'Extension of the ANPR Camera Network' of the Brussels-Capital Region under investment I-3F: 'Smart Mobility tools' of Brussels Capital Region, under component 3.2 Modal Shift; and target 246 of investment I-3.21: Charging infrastructure for busses of the Brussels-Capital Region', under component 3.3: Greening Road Transport. On this basis, Belgium has requested to add the aforementioned milestone and target. Furthermore, Belgium has requested to increase the level of required implementation of two measures. This concerns target 115 of investment I-3.17 'Greening the bus fleet - RBC', under component 3.3: Greening Road Transport; and milestone 212 of investment I-7.01 - 'Improved energy subsidy scheme – RBC', under component 7.1: Renovation of Buildings. Furthermore, Belgium has requested to increase the baseline of Target 242 under investment I-7.21: Greening the bus fleet – BCR, under component 7.4: Mobility to take into account the increase in the level implementation of investment I-3.17. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(6) Belgium has explained that 18 measures have been amended to implement a better alternative allowing to reduce the administrative burden, while still reaching the objectives of the respective measures. This concerns milestone 1 of reform R-1.01: 'Improved energy subsidy scheme' of the Flemish Region under component 1.1; milestone 20 of investment I-1.15: 'An industrial value chain for hydrogen transition' of the Federal State; milestone 23 of investment I-1.16:'An industrial value chain for hydrogen transition' of the Flemish Region and milestone 26 of investment I-1.17:'An industrial value chain for hydrogen transition' of the Walloon Region, under component 1.2: Emerging energy technologies; milestone 54 of investment I-2.05 Digitalisation SPF of the Federal State and milestone 54b of investment I-2.05[L]: Digitalisation SPF: Digitalisation of asylum and immigration management processes of the Federal State; milestone 63 of investment I-2.06 - eHealth Services and Health Data of the Federal State, and description of investment I-2.06; milestone 68 of investment I-2.09: Digitalisation of the Flemish Government of the Flemish Region, and description of the investment I-2.09; milestone 78 of reform R-2.02 E-government: tendering procedure of the Federal State, under component 2.2: Public administration; description of investment I-2.14: Development of an AI institute in order to use this technology to meet societal challenges of the Brussels-Capital Region, milestone 91, milestone 93 of reform R-2.03: Introduction of 5G – National fixed and mobile broadband plan – federal and regional level, and the description of reform R-2.03, under component 2.3: Optic Fibre, 5G, and new technologies; milestone 118 of reform R-3.05: 'Charging stations - RBC' of the Brussels-Capital Region, and description of reform R-3.05, milestone 119 of reform R-3.04: Charging stations- WAL, and description of reform R-3.04, under component 3.3: Greening Road Transport; target 131 of investment I-4: 'Provision of digital equipment and IT

infrastructure to schools' under component 4.1; target 149 of investment I-4.11: 'Digibanks' of the Flemish Region, and description of investment I-4.11, under component 4.2: Training and employment of vulnerable; target 164 of investment I-5.04 - Learning and career offensive of the Flemish Region, under component 5.1: Training and Labour Market; target 197 of investment I-5.14: 'Recycling Hub' of the Flemish Region, and description of the investment I-5.14, under component 5.3: Circular Economy; milestone 213 of investment I-7.02: Improved energy subsidy scheme of the Flemish Region, under component 7.1: Renovation of buildings. On this basis, Belgium has requested to remove unnecessary background information or procedural elements that do not contribute to the objectives of the measures, to clarify that certain elements relate to the objectives or the context of the measures, and to simplify descriptions of measures or milestones and targets that cause an unjustified administrative burden for reaching the objectives of the respective measures. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(7) The Commission considers that the reasons put forward by Belgium justify the amendment(s) pursuant to Article 21(2) of Regulation (EU) 2021/241, and the Council Implementing Decision of 13 July 2021 should be amended accordingly.

Corrections of clerical errors

(8) 50 clerical errors have been identified in the text of the Council Implementing Decision, affecting 26 milestones, 14 targets and 33 measures under 13 components. The Council Implementing Decision should be amended to correct these clerical errors that do not reflect the content of the RRP submitted to the Commission on 13 July 2021, as agreed between the Commission and Belgium. Description of reform R-1.01: 'Improved energy subsidy scheme' of the Flemish Region, milestone 13 and milestone 14 of investment I-1B: 'Public building renovation', and description of investment I-1B, description of investment I-1.07: 'Renovation of public buildings – local authorities & sport' of the Walloon Region, description of investment I-1.09: 'Renovation of public buildings – schools' of the French Community, milestone 2 of reform R-1.02: 'Improved energy grant scheme of the Brussels-Capital region', milestone 6, and milestone 7 of investment I-1A: 'Renovation of private and social housing' under component 1.1: Renovation; milestone 18, milestone 19, milestone 20 of investment I-1.15: 'An industrial value chain for hydrogen transition' of the Federal State and description of investment I-1.15 under component 1.2: Emerging energy technologies; milestone 54b, milestone 55b, and name of investment I-2.05bis: 'Digitalisation SPF', milestone 57, milestone 58 of investment I-2.05: 'Digitalisation SPF', milestone 62 of investment I-2.06: eHealth Services and Health Data - Federal State, milestone 79 of reform R-2.02: E-government: tendering procedure – Federal State, under component 2.2: Public administration; milestone 93 of reform R-2.03 - Introduction of 5G – National fixed and mobile broadband plan - federal and regional level, under component 2.3: Optic fibre, 5G and new technologies; milestone 94, target 95, target 96 under investment I-3A: Cycling Infrastructure, and description of investment I-3A, milestone 96a and target 96b of investment I-3.03b: Cycling infrastructure – Vélo Plus – Federal State, milestone 98 of Investment I-3.04: Cycling and walking infrastructure – Schuman, under component 3.1: Cycling and walking infrastructure; target 100, target 101, milestone 102 of investment I-3B: Enhancing public transport in Wallonia, and description of investment I-3B, target 107 of investment I-3.11: 'Canal Albert and Trilogiport' of the Walloon Region, and description of investment I-3.11 under component 3.2: Modal shift; description of investment I-3.17: Greening the bus fleet - RBC, description of investment I-3.20 –

Greening the bus fleet - WAL, target 114, target 115, target 115b of investment I-3G: Greening the bus fleet, and description of investment I-3G, milestone 119 of reform R-3.04: Charging stations - WAL, target 121, target 122 and target 123 of investment I-3F - Charging stations, under component 3.3: Greening Road Transport; description of investment I-4.06: Digital transformation of education of the German-speaking Community, under component 4.1: Education 2.0; target 166 of investment I-5.05: Strategy for relaunching the labour market, target 171 of investment I-5.07: Digital lifelong learning, description of reform R-5.01: Cumulation regime and mobility to sectors with shortages of the Federal State, milestone 174 of reform R-5.03: Learning account, under component 5.1: Training And Labour Market; milestone 215 of investment I-7.04: 'Renovation of social housing – WAL', milestone 216 of investment I-7.05: 'Energy-climate measures in public buildings – Federal state', milestone 231 of reform R-7.04: 'Accelerating the energy transition' of the Walloon Region, and description of reform R-7.04 under component 7.1: Renovation of buildings; name of investment I-7.14: 'Call for climate measures in agriculture' of the Flemish Region, under component 7.2: New emerging energy technologies; milestone 239 of investment I-7.20: 'Off-shore energy island' of the Federal State, subtitle "U.3. Description of the reforms and investments for the loan, and subtitle U.4. Milestones, targets, indicators, and timetable for monitoring and implementation for the loan, under component 7.3: Renewable energy; milestone 248 of investment I-5.18: SMELD – Federal State, under component 5.2: Supporting economic activity. Those corrections do not affect the implementation of the measures concerned.

Commission's assessment

(9) The Commission has assessed the amended RRP against the assessment criteria laid down in Article 19(3) of Regulation (EU) 2021/241.

Do no significant harm

(10) In accordance with Article 19(3), point (d), of and Annex V, criterion 2.4, to Regulation (EU) 2021/241, the amended RRP is expected to ensure that no measure (Rating A) for the implementation of reforms and investments projects included in this RRP does significant harm to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council (the principle of 'do no significant harm').

(11) Belgium submitted an assessment of the principle of 'do no significant harm' for each of the new investments that replace the measure I-3.15 SmartMove under component 3.2. The information provided shows that the plan is expected to ensure compliance with this principle. Other modifications of the measures included in the original RRP do not have an impact on the assessment of the principle of 'do no significant harm'.

Contribution to the REPowerEU objectives

(12) In accordance with Article 19(3), point (da), of and Annex V, criterion 2.12, to Regulation (EU) 2021/241, the REPowerEU chapter is expected to effectively contribute to a large extent (Rating A) to energy security, the diversification of the Union's energy supply, an increase in the uptake of renewables and in energy efficiency, an increase of energy storage capacities or the necessary reduction of dependence on fossil fuels before 2030.

(13) The modified RRP includes an increment in the ambition of investment I-7.01 Improved energy subsidy scheme' – RBC, that provides support for energy-efficient

renovations to vulnerable households. This further contributes to the objective of reducing dependence on fossil fuels.

Contribution to the green transition including biodiversity

(14) In accordance with Article 19(3), point (e), of and Annex V, criterion 2.5, to Regulation (EU) 2021/241, the amended RRP contains measures that contribute to a large extent (Rating A) to the green transition, including biodiversity, or to addressing the challenges resulting therefrom. The measures supporting climate objectives account for an amount which represents 51% of the amended RRP's total allocation and 87% of the total estimated costs of measures in the REPowerEU chapter calculated in accordance with the methodology set out in Annex VI to Regulation (EU) 2021/241. In accordance with Article 17 of Regulation (EU) 2021/241, the amended RRP is consistent with the information included in the National Energy and Climate Plan 2021-2030.

(15) The modification of the plan does not materially decrease its ambition towards the green transition. The increment in ambition of the investment I-3.17 on electric buses further contributes to climate objectives, such as reduction of CO2 emissions.

Contribution to the digital transition

(16) In accordance with Article 19(3), point (f), of and Annex V, criterion 2.6, to Regulation (EU) 2021/241, the amended RRP contains measures that contribute to a large extent (Rating A) to the digital transition or to addressing the challenges resulting from it. The measures supporting digital objectives account for an amount which represents 26% of the amended RRP's total allocation calculated in accordance with the methodology set out in Annex VII to that Regulation.

(17) The modification of the plan does not materially impact its ambition towards the digital transition. In spite of the decrease due to the replacement of investment I-3.15 Smart Move, the modified RRP continues to significantly contribute to the digital transition with a cross-cutting approach, by supporting cybersecurity, the digitalisation of businesses and public administration, and connectivity, including high-speed connectivity. It also contributes to the digitalisation of the transport sector, namely with the new investments I-3.15a – 'Floya App' and I-3.15b: 'Extension of the ANPR Camera Network' of the Brussels-Capital Region, and to increasing the digital skills of the workforce, pupils and the population more broadly, including vulnerable groups.

Any other assessment criteria

(18) 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 (ST 10161/21 INIT; ST 10161/21 ADD 1) 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), points (a), (b), (c), (db), (g), (h), (i), (j) and (k). 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

(19) 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

(20) The estimated total costs of Belgium's amended RRP is EUR 5 279 439 854. As the amount of the estimated total costs of the amended RRP is higher than the updated maximum financial contribution available for Belgium, the financial contribution determined in accordance with Article 20(4) allocated for Belgium amended RRP should be equal to the total amount of the maximum financial contribution available for Belgium's amended RRP. This amount is equal to EUR 4 523383 959.

Loans

(21) Furthermore, in order to support reforms and investments, Belgium has requested a total loan support of EUR 244 200 000, in particular, EUR 195 000 000 to support the reforms and investments in the REPowerEU chapter and EUR 49 200 000 to support the other reforms and investments in the RRP. The amount of the estimated total costs of the RRP is higher than the combined financial contribution available for Belgium, including the REPowerEU chapter and the updated maximum financial contribution for non-repayable financial support, the revenue from the emission trading system under Directive 2003/87/EC of the European Parliament and of the Council[4], and the resources from the Brexit Adjustment Reserve. The maximum volume of the loan requested by Belgium is less than 6,8% of its 2019 gross national income in current prices.

(22) Council Implementing Decision (ST 10161/21 INIT; ST 10161/21 ADD 1) of 13 July 2021 on the approval of the assessment of the RRP for Belgium should therefore be amended accordingly. For the sake of clarity, the Annex to that Council Implementing Decision should be replaced entirely,

HAS ADOPTED THIS DECISION:

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 modified 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 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.";

[4] Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32–46).

(2) in Article 2a, paragraph 1 is replaced by the following:

“1. The Union shall make available to Belgium a loan amounting to a maximum of EUR 244 200 000.”;

(3) the Annex is replaced by the text in the Annex to this Decision.

Article 2
Addressee

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels,

For the Council
The President