

**Positive preliminary assessment of the satisfactory fulfilment of milestones and targets related to the second payment request submitted by France on 31 July 2023, transmitted to the Economic and Financial Committee by the European Commission**

**Executive summary**

In accordance with Article 24(2) of Regulation (EU) 2021/241, on 31 July 2023, France submitted a request for payment for the second instalment of the non-repayable support. The payment request was accompanied by the required management declaration and summary of audits.

To support its payment request, France provided due justification of the satisfactory fulfilment of the 55 milestones and targets of the second instalment of the non-repayable support, as set out in Section 2(1)(1.2) of the Council Implementing Decision of 14 July 2023 on the approval of the assessment of the recovery and resilience plan for France<sup>1</sup>

For 32 targets covering a large number of beneficiaries, in addition to the summary documents and official listings provided by France, Commission services have assessed a statistically significant sample of individual files. The sample size has been uniformly set at 60, with 10 additional units for the specific cases of T1-7 (energy renovation of social housing) and T-8-18 (creation of places in higher education) and with 168 additional units for the specific case of T9-11 (renovation of medico-social establishments), which corresponds to a confidence level of 95% or above in all cases.

In its payment request, France has confirmed that measures related to previously satisfactorily fulfilled milestones and targets have not been reversed. The Commission is aware of recoveries that have taken place for target 3-15 related to protection of the financial interests of the Union. Target 3-15 was considered as satisfactory fulfilled in the first payment request. If those recoveries from the samples that have been taken were extrapolated to the total population, it would indicate that the number of ecobonuses would no longer be sufficient for the target and France would need to take action to ensure that the target is still met. In order to justify fulfilment of target 3-16, France has provided evidence to the Commission demonstrating that additional ecobonuses were granted. The Commission considers the granting of those ecobonuses as the necessary action to ensure that target 3-15 is still satisfactory fulfilled, while those additional ecobonuses were not taken into account for the assessment of fulfilment of target 3-16. On this basis, the Commission does not consider that a reversal has occurred. For other milestones and targets, the Commission does not have evidence that a reversal has occurred. This includes milestone 7-35, *Organisation of the system and the treatment of data and organisation of the audits*, and the commitments on audit and controls that were undertaken by France in the context of the first payment request to ensure continuous compliance with this milestone and its obligations under the Financing Agreement.

Based on the documentation submitted and the controls carried out by the Commission, France has continued to improve the functionalities of its audit and control system by developing further its data management system, in particular '*Propilot*' by strengthening its data collection, recording and storage systems and improving the description of the data flows between the tools and the aggregation methods. In addition, it also improved the consolidation of the internal control activities, which required strengthening the administrative capacity of the coordinating authority.

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1 ST - 11150/2023 ADD 1 REV 2, published.

To comply with the first commitment related to the strengthening of its data management system, France integrated all the targets of its Recovery and Resilience Plan into its information system '*ProPilot*', including those listed in the REPowerEU chapter adopted by the Council on 14 July 2023, ensuring a complete coverage of all targets and indicators of the revised RRP. In the absence of direct interface between the data management systems used by the implementing bodies (*autorités déléguées de gestion*) and '*ProPilot*', France's coordinating authority (*Pôle PNRR*) has put in place checks to ensure the completeness and accuracy of the data submitted for payment requests. To this end, the Coordinating Authority carries out regular consistency checks on the data uploaded into '*ProPilot*' using a dashboard which enables the monitoring of the progress of data entries. In the context of the preparation of the third payment request, the Coordinating Authority has also reinforced the controls on the list of recipients submitted by the implementing bodies, as set out in the Prime Minister's circular of 5 August 2022 (No 6369-SG), by using a dedicated checklist for that purpose. The description of data flows has also been improved with the adoption of a new version of the model description of the management and control system (DSGC), applicable as of the 3rd payment request to all implementing bodies. Implementing bodies have been requested to describe in their respective DSGC – with a dedicated flow chart whenever possible - the information system(s) used, their functionalities and general architecture, as well as their interconnectivity with other applications and management tools used. In addition, they are requested to attach to the list of recipients, submitted at the time of the payment request, a detailed presentation of the information system used to collect and report data. The coordinating body controls the existence of this detailed presentation through the dedicated checklists prepared for the DSGC and lists of recipients.

Regarding the second commitment on the improvement of the consolidation of internal control activities, the coordinating authority has reinforced its communication and instructions towards the implementing bodies regarding internal control. To this end, it elaborated - as mentioned above - a new version of the model description of the management and control system (DSGC), applicable as of the 3rd payment request, describing in detail the elements and procedures expected from the implementing bodies in terms of the deployment of a risk management approach (including risk mapping) and anti-fraud measures. Working groups to discuss and coordinate on certain topics of common interest are also organised to better support the implementing bodies. In addition, the template for the DSCG checklist has been finalised with the support of the Commission's Technical Support Instrument (TSI) and will be used by the coordinating authority from the 3rd payment request onwards. Also, as part of the above-mentioned work with TSI, the risk mapping model was finalised, and the risks of a significant proportion measures of the 2<sup>nd</sup> payment request have been rated. In addition, the administrative capacity of the coordinating authority, has been strengthened by the recruitment of two new members in charge, respectively, of internal control and coordination.

Upon receipt of the payment request, the Commission has assessed on a preliminary basis the satisfactory fulfilment of the relevant milestones and targets. Based on the information provided by France, the Commission has made a positive preliminary assessment of the satisfactory fulfilment of all 55 milestones and targets.

The milestones and targets positively assessed as part of this payment request demonstrate significant steps in the implementation of France's Recovery and Resilience Plan. They notably highlight the continuation of the reform momentum in key policy areas. This includes, among others, the promulgation of the Law on climate and resilience and the entry into force of the Decree implementing the anti-waste and circular economy Law, the implementation of the Research Programming Law as well as the adoption of several legal measures aimed at strengthening the

efficiency of public services and ensuring the quality and sustainability of public spending. The milestones and targets also confirm progress towards the completion of investment projects related to the energy renovation of private buildings, the digital upgrade of companies, the creation of places in higher education, the renovation of medical and social establishments or the implementation of the very-fast broadband plan.

By the transmission of this positive preliminary assessment and in accordance with Article 24(4) of Regulation (EU) 2021/241, the Commission asks for the opinion of the Economic and Financial Committee on the satisfactory fulfilment of the relevant milestones and targets.

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<b>Number:</b> 1-3a	Related Measure: C1.R2 Revised thermal regulation RE2020
<b>Name of the Milestone: Revision of the thermal regulation RE2020</b>	
<b>Qualitative Indicator:</b> Entry into force	<b>Time:</b> Q1 2022
<p><b>Context:</b></p> <p>The objective of the revised thermal regulation of new buildings, RE2020, is to replace the existing thermal regulation of buildings (RT2012) that entered into force in 2012 in order to strengthen thermal criteria and introduce environmental ones for the construction of new buildings. The main objectives are: (i) the improvement of energy sobriety and the decarbonisation of the energy consumed; (ii) the reduction of the carbon impact of new constructions; and (iii) the adaptation of new buildings to climate change.</p> <p>Milestone 1-3a concerns the entry into force of legislative changes included in the new RE2020 in order to reduce GHG emissions of new constructions, improve the energy performance of new buildings and adapt new buildings to climate change.</p> <p>Milestone 1-3a is the first step of the implementation of the reform and it will be followed by Milestone 1-3b, related to the entry into force of the reform for specific tertiary buildings. The reform has a final expected date for implementation in Q1 2025.</p>	
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. A Summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.</li> <li>ii. A copy of the Decree No.2021-1004 adopted on 29 July 2021 related to the energy and environmental performance requirements for building constructions in mainland France and the link to the Decree <a href="#">Décret n° 2021-1004 du 29 juillet 2021 relatif aux exigences de performance énergétique et environnementale des constructions de bâtiments en France métropolitaine - Légifrance (legifrance.gouv.fr)</a>.</li> <li>iii. A copy of the Decree No.2022-305 adopted on 1 March 2022 related to the energy and environmental performance requirements for the construction of office buildings, and primary or secondary education buildings in mainland France and the link to the Decree <a href="#">Décret n° 2022-305 du 1er mars 2022 relatif aux exigences de performance énergétique et environnementale des constructions de bâtiments de bureaux et d'enseignement primaire ou secondaire en France métropolitaine – Légifrance (legifrance.gouv.fr)</a>.</li> <li>iv. A copy of the Order (<i>arrêté</i>) adopted on 4 August 2021 related to the energy and environmental performance requirements of building constructions in mainland France and approving the calculation method provided in Article R.172-6 of the Construction and Housing Code and the link to the Order <a href="#">Arrêté du 4 août 2021 relatif aux exigences de performance énergétique et environnementale des constructions de bâtiments en France métropolitaine et portant approbation de la méthode de calcul prévue à l'article R. 172-6 du code de la construction et de l'habitation - Légifrance (legifrance.gouv.fr)</a>.</li> <li>v. A copy of the Order (<i>arrêté</i>) of 6 April 2022 amending the orders issued pursuant to Articles R.122-2 to R. 122-15 and R. 172-1 and R. 172-9 of the Construction and Housing</li> </ul>	

Code and the link to the Order [Arrêté du 6 avril 2022 modifiant les arrêtés pris en application des articles R. 122-22 à R. 122-25 et R. 172-1 à R. 172-9 du code de la construction et de l'habitation - Légifrance \(legifrance.gouv.fr\).](#)

The authorities also provided:

- vi. A summary of the technical criteria (on energy and on the environmental requirements) resulting from the decrees and orders applying to new constructions subject to the new RE2020 (see the Annex of the summary document).
- vii. A power point presentation on the Bbio coefficient for single-family housing, collective housing and offices.
- viii. A note pointing to the specific parts of the regulatory documents where technical criteria can be found.

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.

**Entry into force of legislative changes included in the new RE2020:**

According to Article 1, III, Section 1, Article R. 172-1.I, of the Decree No.2021-1004 adopted on 29 July 2021, related to the energy and environmental performance requirements for building constructions in mainland France (*hereinafter referred to as "Decree No. 2021-1004"*), the revised thermal regulation RE2020 (*hereinafter referred to as "RE2020"*) and the provisions concerning the energy and environmental performance shall enter into force on 1 January 2022 for new buildings for residential use, and on 1 July 2022 for new buildings used for offices, primary and secondary education.

**Furthermore, in line with the description of the measure, RE2020 aims at:**

- **improving the energy sobriety and the decarbonisation of the energy consumed**

This objective is measured by three criteria whose requirements are stricter or more ambitious than in the previous thermal regulation RT2012.

1. The bioclimatic need of housing (Bbio coefficient), with a maximum threshold lowered between 20% and 30% in comparison to the current regulation RT2012:

This Bbio coefficient was introduced in the previous thermal regulation RT2012, in order to measure the thermal performance of a building, independently of the energy system implemented. RE2020 defines new thresholds per type of building that shall not be exceeded. These values are stricter than in the previous legislation.

The technical criteria of the new Bbio coefficient are defined in the Annex to Article R. 172-4, Chapter III, I of the Decree No.2021-1004 for single-family housing and collective housing, and in Article 2 of the Decree No.2022-305 adopted on 1 March 2022 related to the energy and environmental performance requirements for the construction of office buildings, and primary or secondary education buildings in mainland France (*hereinafter referred to as "Decree No.2022-305"*) which revises this Annex for offices and primary and secondary school buildings.

According to the technical explanations provided by French authorities in the summary document,

and in the power point presentation of RE2020, the Bbio is lowered by 28% for single-family housing and by 20% for collective housing.

2. The non-renewable primary energy consumption:

RE2020 introduces a new indicator called “Cep, nr” (non-renewable primary energy consumption) which is supplementing the “Cep” indicator (primary energy consumption). The main objective of the “Cep, nr” is to penalise the use of fossil fuels (such as gas) in order to promote renewable energy in new buildings (for heating, cooling, hot water production, etc.), due to strict thresholds that shall not be exceeded.

The average maximum “Cep, nr” are defined in the Annex to Article R. 172-4, Chapter III, II of the Decree No.2021-1004 for single-family and collective housing, and in Article 2, III, 4 of the Decree No.2022-305 for offices and tertiary buildings: it varies between 55 kWh<sub>ep</sub>/(m<sup>2</sup>.an) for single-family housing and 75 kWh<sub>ep</sub>/(m<sup>2</sup>.an) for offices.

3. GHG emissions from energy consumption are limited to 4kgCO<sub>2</sub>/m<sup>2</sup>/year for a single-family house, and 14 kgCO<sub>2</sub>/m<sup>2</sup>/year for collective housing until 2024 and 6,5 kg after 2024:

RE2020 introduces four new binding indicators reflecting the carbon footprint (Ic, “impact carbone”) of new buildings.

One of them is the “Ic<sub>énergie</sub>” indicator, which reflects the impact of the primary energy consumed by the building on climate change, by calculating the GHG emissions deriving from this energy consumption during the operational life of the building.

The maximum average “Ic<sub>énergie</sub>” is defined in Annex to Article R. 172-4, Chapter III, II of the Decree No.2021-1004 for single-family and collective housing, and in Article 2, III, 4° of the Decree No.2022-305 for offices and primary and secondary school buildings. This maximum value depends on the type of buildings and decreases over time (2022-2024, 2025-2027 and after 2028).

The maximum average “Ic<sub>énergie</sub>” is 160 kgCO<sub>2</sub>/m<sup>2</sup> for a single-family house as from 2022, and 560 kgCO<sub>2</sub>/m<sup>2</sup> for collective housing until 2024, and 260 kgCO<sub>2</sub>/m<sup>2</sup> after 2024 (see page 10 of evidence ii). A lifespan of 40 years means that GHG emissions are capped to 4 kgCO<sub>2</sub>/m<sup>2</sup>/year for a single-family house, and 14 kgCO<sub>2</sub>/m<sup>2</sup>/year for collective housing until 2024 and 6,5 kg after 2024.

- **reducing the carbon impact of new building**

The “Ic<sub>construction</sub>” indicator is one of the four new binding “Ic” indicator introduced by RE2020 in order to measure the carbon footprint of new buildings.

As defined in Annex to Article R 172-4, Chapter I, V, and in Article 2, I. of Decree No.2022-305, the “Ic<sub>construction</sub>” indicator reflects the impact on climate change of the building from its construction phase to its demolition: *“it corresponds to the impact on climate change linked to the production of building components, their transport, installation and the entire construction site, their use excluding the energy and water needs during the building operating phase, their maintenance, repair replace and end-to life”*.



" $I_{\text{construction}}$ " is expressed in  $\text{kgCO}_2/\text{m}^2$ , and the maximum thresholds are decreasing over time (as for " $I_{\text{énergie}}$ " for most types of buildings) in order to strengthen the environmental requirements in a progressive manner.

The maximum average " $I_{\text{construction}}$ " is defined in Annex to Article T 172-4, Chapter III, III of Decree No.2021-1004 for single-family and collective housing, and in Article 2, III, 5° of Decree No.2022-305 for office buildings and primary and secondary school buildings. The maximum average " $I_{\text{construction}}$ " is decreasing for all types of buildings over time: 640  $\text{kg eq. CO}_2/\text{m}^2$  for a single-family house as from 2022, 530  $\text{kg eq. CO}_2/\text{m}^2$  as from 2025, and 475 as from 2028. A similar decrease is applied to other types of buildings covered by the RE2020: from 740 to 580  $\text{kg eq. CO}_2/\text{m}^2$  for collective housing (from 2022 to 2028), from 980 to 710 for offices (from 2022 to 2028), and from 900 to 680 for schools. As a result, this guarantees that the carbon impact of new buildings will decrease over time.

- **adapting new buildings to climate change:**
  - **by taking into account the cooling of construction in the calculation of the energy needs of a building**

In RT2012, cooling requirements were only taken into account for air-conditioned buildings. In RE2020, they are now systematically taken into account, whether or not the building is air-conditioned: the inclusion of a cooling consumption lump sum, in the event of occasional summer discomfort, in the energy calculation is indicated in the Order adopted on 4 August related to the energy and environmental performance requirements of building constructions in mainland France and approving the calculation method provided in Article R.172-6 of the Construction and Housing Code (*hereinafter referred to as "Order adopted on 4 August"*) (see point 13.3 of Annex III). Furthermore, and contrary to RT2012, the new RE2020 automatically calculates a "fictitious" energy consumption, corresponding to the cooling requirement that occupants will face if they actually decide to air-condition the building.

- **by providing a summer comfort indicator calculated during the design of the building**

According to Article R. 172-4 of the Decree No.2021-1004 "the construction of any building [...] must achieve minimum result in the following area:" point 5°: "the number of summer discomfort degree-hours, expressed in  $^{\circ}\text{C.h}$ " (e.g. in  $^{\circ}\text{Celsius}$  per hour).

This new DH indicator (degree-hours) is a change introduced by RE2020. In RT2012, summer comfort was addressed by the Ticref indicator<sup>2</sup> which is the maximum indoor temperature reached during a sequence of five consecutive very hot summer days. In RE2020, DH is the number of degree-hours of discomfort, expressing the duration and intensity of periods of discomfort in the building over a year, when the indoor temperature causes discomfort in relation to a reference temperature.

- **by setting a maximum high threshold of 1250 DH (degree-hour) and a minimum low threshold of 350 DH from which penalties shall apply in the calculation of energy performance**

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<sup>2</sup> Ticref is the « température intérieure de confort de référence »

RE2020 sets minimum and maximum thresholds of DH, depending on the types of buildings concerned, the geographical area, and the external stress category as defined in Chapter V of the Annex to Article R. 172-4 of the Decree No.2021-1004.

The maximum threshold imposed for single-family housing (under category 1) and for collective housing (under category 1 except for air-conditioned buildings in certain areas) is 1250 DH, as defined in the Annex to Article R. 174-2, Chapter III, IV of the Decree No.2021-1004.

The maximum threshold imposed to offices varies between 1150 DH and 2600 DH depending on the category of building and its location, as defined in Article 2, III, 13°, point 3 of Decree No.2022-305. The maximum threshold imposed to primary and secondary school varies between 900 and 2200, depending on the category of building and its location, as defined in Article 2, III, 13°, point 4 of Decree No.2022-305.

The minimum threshold imposed to all buildings is 350 DH, as defined in the Order adopted on 4 August 2021, page 1351.

Furthermore, the RE2020 introduces flat-rate consumption penalties for potential summer discomfort, calculated according to the technical specifications indicated on pages 1352 and the following pages of the Order adopted on 4 August 2021.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 1-5</b>	Related Measure: C1.I1 Energy renovation of private housing, including energy sieves		
<b>Name of the Target:</b> Number of MPR validated			
<b>Quantitative Indicator:</b> Grants	<b>Baseline:</b> 400 000	<b>Target:</b> 700 000	<b>Time:</b> Q4 2022
<b>Context:</b> <p>Measure C1.I1 aims to support energy renovation works of private housing, through a grant scheme (“MaPrimeRenov”, <i>hereinafter referred to as “MPR”</i>) allocated to owners either for single-family housing or for condominiums (“<i>MPR copropriétés</i>”) in order to reduce energy consumption of their housing. The grant is notified to owners before the end of 2022, and its amount varies depending on the eligible works.</p> <p>The overall objective is to achieve at least 30% of energy gains, on average, and the renovation works are carried out by companies with the “RGE” label (“recognised as guarantors of the environment”) in order to guarantee quality standards of the works.</p> <p>Target 1-5 concerns the number of households which have been granted a MPR.</p> <p>Target 1-5 is the second and last target of investment C1.I1 and follows the completion of target 1-4 related to the number of households which have been granted a MPR, assessed under the first payment request.</p>			
<b>Evidence Provided:</b>			

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A Summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex
- ii. A list of beneficiaries Excel file concerning MPR validated by Anah (National Housing Agency) and allocated for individual homes (350 809 records), including among others: the type of beneficiary, in terms of income (column C), the location of the project (columns D, E, F), the date of notification of the MPR (column I), the amount of MPR (column J), the amount of renovation works (column K), the types of energy works supported, including a reference to the bonus for energy sieves (column M)
- iii. A list of beneficiaries Excel file for MPR allocated to buildings administered in co-ownership ("*co-propriétés*"), e.g. to multi-apartments buildings (66 records), including among others: the location of the project (columns D, E, F, H, I, J, K, L), the beneficiary (columns M, N), date of financial commitment (column Q), number of dwellings (column Y), amount of MPR (column AA), amount of works (column AU).

The authorities also provided:

- iv. A link to the report on "energy renovation works supported by MaPrimeRenov' between 2020 and 2022" published by the National Observatory of Energy Renovation (ONRE) in October 2023: [Les rénovations énergétiques aidées par MaPrimeRenov' entre 2020 et 2022 \(developpement-durable.gouv.fr\)](https://developpement-durable.gouv.fr/les-renovations-energetiques-aidees-par-ma-prime-renov-entre-2020-et-2022)
- v. A link to the statistical dataset from the Ministry of Ecological Transition concerning energy consumption in dwellings, from 1996 to 2021 and a link to the page where these data can be downloaded: [Consommation d'énergie par usage du résidentiel | Données et études statistiques \(developpement-durable.gouv.fr\)](https://developpement-durable.gouv.fr/consommation-denergie-par-usage-du-residentiel-donnees-et-etudes-statistiques)

In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:

- vi. The notification letter by Anah to the owner, with the reference number of the MPR, the date of notification and the amount of MPR allocated.
- vii. The quotes of the works provided by the company that will perform the works, with the total amount of works envisaged and the types of renovation to be performed.
- viii. A proof of the RGE label of the company that has performed the works.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **300 000 MPR have been allocated to households**

The list containing the total number of "MaPrimeRenov" (*hereinafter referred to as "MPR"*) validated by the National Housing Agency (*hereinafter referred to as "Anah"*) exceeds the target of 300 000 (350 809 records). This list includes 189 MPR for which a bonus ("*bonus sortie de passoire énergétique*" or "*bonus bâtiment basse consommation*") has been allocated to owners who undertake renovation works to bring their home out of the status of energy sieves. In addition to this list, 66 "MPR" have been allocated to multi-apartments buildings ("*co-propriétés*"), which means that the target has been exceeded by a large margin of 50 875.

The evidence provided for a sample of 60 units confirms that a MPR has been allocated to the

households concerned: the formal letters of notification to the final beneficiaries corroborate the reference number of the MPR and the amount of the MPR included in the Anah's list for all samples.

**MPR shall be notified before the end of 2022**

For all MPR of the Anah's list, the notification date is between 1 January and 31 August 2022, which means that they concern MPR notified after the ones assessed for target 1-4 of the first payment request.

The evidence provided for a sample of 60 units confirms that MPR were notified before the end of 2022: the formal letters of notification of the MPR (see evidence vi.) corroborate the date of notification indicated in the Anah's list for all samples.

**Furthermore, in line with the description of the measure:**

- **The objective of the energy renovation works carried out through MPR has an objective to achieve at least 30% of energy savings on average**

According to the latest official data from the Ministry of Energy Transition (see evidence v., where the Excel file "*Consommation énergétique du secteur résidentiel par usage, de 1996 à 2021*" can be downloaded), the total annual energy consumption in all dwellings in 2021 was 486.41 TWh, and the total number of dwellings in 2021 in France was 29.8 million. On average, the energy consumption per dwelling in 2021 achieved 16.3 MWh.

According to the data on energy savings included in the ONRE report (see evidence iv., table 2, page 12), it can be established that on average, the energy savings allowed by the MPR allocated to the 305 809 beneficiaries amounted to 5.97 MWh/year, based on MPR already paid in 2021 and 2022 (with 5.5 MWh and 5.8 MWh of energy savings respectively) and on MPR allocated in 2021 and 2022 but not yet paid to the final beneficiary (5.8 and 6.2 MWh respectively).

Therefore, on average, the energy gains will achieve 36.6%.

- **the MPR shall contribute to financing insulation, heating, ventilation or energy audit works**

For all MPR of the Anah's list, the types of works reported correspond to insulation, heating, ventilation or energy audit works, except for 1 MPR (MPR-2022-595987), for which no works is reported.

The evidence provided for a sample of 60 units (see evidence vii.) confirms that energy works to be performed by companies that submitted a quote correspond to those indicated in the Anah's list.

- **the companies performing the works have received the RGE label ("recognized as guarantors of the environment")**

The evidence provided for a sample of 60 units (see evidence viii.) show that for 59 units, the companies that have provided a quote for energy works do have the RGE label: in one case (sample 58), the RGE label is outdated by 6 months at the time of the quote, but the sub-contractor that will perform the most important share of the works has the label.

<ul style="list-style-type: none"> <li>the maximum amount of the MPR is 20 000 EUR, and the maximum aid intensity is 90%</li> </ul> <p>For 8 MPR of the Anah's list, the amount of the MPR notified to the beneficiary is above the threshold of 20 000 EUR. However, for the 4 MPR (out of these 8) already disbursed (e.g. after the completion of energy renovation works), the amount indicated as "MPR paid" is below this threshold, which means that this type of anomaly is corrected at the time of the final allowance calculation.</p> <p>For 1°906 MPR of the Anah's lists, the aid intensity, calculated on the basis of the amount of the MPR notified and the estimate of energy works costs, is above 90%. The French authorities explained that this type of anomaly (very marginal as it concerns 0.54% of all MPRs) will also be corrected at the time of the final allowance calculation.</p>
<b>Commission Preliminary Assessment:</b> Satisfactorily fulfilled

<b>Number:</b> 1-7		Related Measure: C1.I2 Energy renovation of social housing		
<b>Name of the Target:</b> Number of dwellings within the category of social housing receiving a grant for renovation				
<b>Quantitative Indicator:</b> Number		<b>Baseline:</b> 20000	<b>Target:</b> 40000	<b>Time:</b> Q4 2022
<b>Context:</b> The measure consists in supporting social housing organisations and local authorities operating social housing in order to support deep renovation of buildings, with the ambition to progressively eliminate thermal sieves, both in mainland France and in the DOM (overseas territories). The measure also deploys industrial solutions in order to achieve zero or positive net energy balance, through a dedicated call for projects called “MassiReno”.  Target 1-7 concerns the number of dwellings within the category of social housing receiving a grant for renovation, with an objective of achieving at least 30% of energy savings on average.  Target 1-7 is the second and last target of the “Energy renovation of social housing” measure, and it follows the completion of target 1-6, which aims at renovating 20000 social housing.				
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:  <div><div>i.</div><div>A Summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.</div></div> <div><div>ii.</div><div>An Excel file including the list of projects receiving a grant for energy renovation extracted from the “infocenter” (System Information) of the DHUP (Department of Housing, Town Planning and Landscape), specifying:<div><div>a.</div><div>the beneficiary (column F, except for projects in the DOM: column G)</div></div><div><div>b.</div><div>the address of the operation (columns C and D, except for projects in the DOM: column D and E)</div></div><div><div>c.</div><div>the number of housing units after works (column G, except for projects in the DOM: column H)</div></div><div><div>d.</div><div>the label of the energy performance diagnosis (DPE) before and after the works (except for projects selected under the “MassiReno” scheme for heavy</div></div></div></div>				

rehabilitations, and for projects performed in the DOM) (column I, only for heavy rehabilitation projects in mainland France)

NB: this Excel file includes three Excel sheets: one for the list of heavy rehabilitation projects in mainland France (30966 records), one for the list of projects selected under the “MassiReno” call for project (1791 records), and one for the list of projects performed in the DOM (overseas territories) (131 records).

The authorities also provided:

- iii. A note from the DHUP explaining that existing support schemes are not sufficient to finance the renovation operations.
- iv. The technical specifications for heavy rehabilitations projects in mainland France for 2021 and 2022 (AAP Palulos 2021 and APP Palulos 2022), made by the DHUP (Department of Housing, Town Planning and Landscape), respectively dated January 11, 2021 and January 25, 2022.
- v. The technical specifications for “MassiReno” call for projects, made by the DHUP (Department of Housing, Town Planning and Landscape), published on January 1, 2021.
- vi. The technical specifications for projects selected in the DOM (overseas territories)
- vii. An explanatory note on the criteria used for the major rehabilitation and energy renovation of social housing in the DOM (overseas territory).
- viii. The mail sent by the DGALN (*Direction Générale de l’Aménagement, du Logement et de la Nature*) on January 26, 2022 launching the survey identifying the needs for eligible operations for the year 2022.

In the context of the sampling analysis, the following evidence was provided for a sample of 70 projects of renovation, representing 3 802 housing units (58 from the heavy rehabilitation list, 9 from the “MassiReno” list, and 3 from the “DOM” list):

- ix. A document proving the grant decision called “*décision de subvention pour l’amélioration de logements locatifs*”
- x. One or several documents, depending on the level of complexity of the project and/or the number of buildings concerned, attesting the level of energy gains expected by the project (energy performance diagnostic or DPE (*diagnostic de performance énergétique*), thermal studies, and for projects located in the DOM, the form to apply to an “eco-loan” for social housing in which the types of renovation works are described, etc.)
- xi. A document attesting the start of the works (except for projects performed in the DOM) (“*ordre de service*”, statement of expenses, deposit paid to the companies carrying the energy works)

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **20 000 dwellings in the category of social housing have received a grant for renovation**

The number of dwellings of projects included in the three lists of projects, validated by the DHUP’s system of information exceeds the target of 20 000 housing units (31 891 records in total): 30 143 concern the heavy rehabilitation projects performed in mainland France, 1 617 concern those selected by the “MassiReno” call for projects, and 131 the projects selected in the DOM. The target has been exceeded by a large margin of 11 891 housing units (59%).

The evidence provided for a sample of 70 projects, representing 3802 housing units, confirms that

they all have benefited from a grant decision (see evidence ix).

**The selection of projects is expected to meet the objective of achieving at least 30% of energy savings on average**

- for projects under the “heaving rehabilitation in mainland France”:

For 56 samples (out of 58), the evidence provided prove that the level of energy gains expected by the renovation works are above of 30%, either through the comparison between the ex-ante energy performance diagnostic (DPE, diagnostic de performance énergétique) and the estimated ex-post DPE, or through thermal studies carried out by qualified experts. On average, for all samples, the DPE label is increased by at least 2 levels, which represents more than 30% of energy savings.

For two samples (10 and 40), the evidence provided by the energy audits or thermal studies were not sufficient to enable precise measurement of the energy gains expected by the projects. These two samples were considered as “failed”.

- for the projects selected by the “MassiReno” call for projects:

Technical specifications of the “MassiReno” call for project include the following eligibility criteria:

- i. the renovation project shall concern “renovation of housing belonging to energy classes D, E, F and G before works” (see page 6): according to the energy consumption levels per energy class, a project eligible to “MassiReno” consumes at least 151 kWh/m<sup>2</sup>.year
- ii. the renovation project shall ensure an “achievement of an energy balance [...] after works less than 80 kWh (energy primary)/m<sup>2</sup>.year” (page 7).

Therefore, all projects will allow energy gains of at least 47% (e.g. a decrease in energy consumption from 151 to 80 kWh/m<sup>2</sup>.year), e.g. well above 30%.

- for the projects selected in the DOM (overseas territories)

While energy performance certificates are not available in overseas territories, the selection criteria is based on a grants points system determined by the types of renovation to be performed. For two samples (61 and 62), the project has been selected on the basis of minimum 3 renovation “gestures”, which allow a minimum of energy gains of 40%, according to the “explanatory note” (see evidence vii.) on the criteria used for the projects selected in the DOM. For one sample (63), the project includes only 2 renovation “gestures”: it was not possible to confirm a minimum of 30% of energy gains, but we applied a conservative flat rate of 10% of energy gains, based on evidence (e.g. the types of energy renovation works that will be performed). Therefore, on average, these projects achieve 30% of energy gains.

The two failed samples do not put in question the achievement of the target.

**Furthermore, in line with the description of the measure:**

- **the grant shall be allocated provided that existing schemes are not sufficient to finance operations of renovation**

As explained by the DHUP in its note (see evidence iii.), energy renovation operations in social housing are, by definition, financially unprofitable: increasing rents of households living in such dwellings is very limited and out of proportion of financing needs. Heavy rehabilitations and highly performant renovations (such as MassiReno) require a significant financial effort, justifying public support via subsidies in order to complement existing loans and equity. For heavy rehabilitation projects supported in 2021-2022, the grant represented 18% of the financing plan (442 MEUR compared to a total cost of 2.5 bn EUR).



- **the financial envelope shall be allocated by State services at regional and local levels, on the basis of a survey identifying the needs**

The evidence provided for a sample of 70 projects (see evidence ix.), representing 3 802 housing units, confirms that all grant decisions have been signed either by the State services at regional and local levels or by a representative of a local authority.

In addition, all operations have been identified on the basis of the survey launched on January 26, 2022, in order to select the most mature projects on the ground, as indicated in the DGALN's email sent to State services in the regions (Regional Directorates of the Environment, Planning and Housing, DREAL) and "départements" (Department Territorial Directorates, DDT) (see evidence viii.).

- **the selection of projects shall be made either through a call for projects or through subsidies managed by decentralised State services or local authorities**

The projects have been selected through three different procedures:

- for "heavy rehabilitation projects" in mainland France, technical specifications of the "Palulos" subsidy scheme for the years 2021 and 2022 have been provided (see evidence iv.). In addition, the subsidy decisions (see evidence ix.) provided for a sample of 58 units confirm that the projects have been subsidised under this framework and that the grant decision is signed by a decentralised State service ("*préfecture*").
- for "MassiReno" projects, the call for projects called "Massification of exemplary renovation of the social rental stock" has been provided (see evidence v.). In addition, the subsidy decisions (see evidence ix.) provided for a sample of 9 units confirm that the grant has been approved by a representative of a local authority.
- for projects selected in the DOM (overseas territories), the technical specifications have been provided (see evidence vi.). In addition, the subsidy decisions (see evidence ix.) provided for a sample of 3 units confirm that the order granting the subsidy decision is signed by a decentralised State service ("*prefecture*").

- **the measure shall also deploy industrial solutions for energy renovations in order to achieve zero or positive net energy balance**

The call for projects "MassiReno" means "massification of exemplary renovation of the social rental stock". According to the technical specifications of the "MassiReno" call for projects, "it is intended to financially support social housing organisations engaging in the implementation of efficient and "replicable" industrial solutions for the energy renovation of housing belonging to the social rental stock" (see page 1), as well as "consolidate industrial and integrated energy renovation solutions": with very strict standards in terms of energy performance, the selected projects will present innovation solutions in order to reach those criteria, and can serve as a model for future highly efficient thermal renovations.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 1-9	Related Measure: C1.I3 Thermal renovation of public buildings
<b>Name of the Target:</b> Number of public buildings belonging to local and regional authorities (LRAs) which have been the subject of a subsidy notification from the State or the Regional Council for	



energy renovation works			
<b>Quantitative Indicator:</b> Number of buildings subsidised	<b>Baseline:</b> 0	<b>Target:</b> 1954	<b>Time:</b> Q2 2022
<p><b>Context:</b></p> <p>The measure consists in supporting energy renovation of buildings belonging to local and regional authorities. Such projects are subsidised by the State, and operated by regional or local authorities. The ambition of the measure is to ensure a rapid implementation, with grants notified by the end of 2021 and projects completed by the end of 2024.</p> <p>Target 1-9 concerns the number of buildings belonging to local and regional authorities that have received a subsidy notification to perform energy renovation, with an objective to achieve at least 30% of energy savings on average.</p> <p>Target 1-9 is the second target of the “Thermal renovation of public buildings” measure, and it follows the completion of target 1-8 related to the thermal renovation of public buildings belonging to the State, assessed in the first payment request. It will be followed by targets 1-10, 1-11 and 1-12 related to the same measure, which will capture the completion of energy renovation works in public buildings.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. A Summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.</li> <li>ii. An Excel file including the list of projects receiving a grant for energy renovation (2333 records) extracted from the System Information of the General Directorate of Local Authorities (<i>Direction Générale des Collectivités Locales</i>, DGCL hereinafter), specifying among others: <ul style="list-style-type: none"> <li>a. the location of the project (columns C and D)</li> <li>b. the local and regional authority benefiting from the grant (column E)</li> <li>c. the number of buildings (column H)</li> <li>d. the type of buildings (column I)</li> <li>e. the title of the project (column J)</li> <li>f. the date of grant notification (column L)</li> <li>g. the envisaged date of completion of works (column M)</li> <li>h. the total cost of the project (column N)</li> <li>i. the energy savings (gross % and % weighted by project cost) (column O and P)</li> </ul> </li> </ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"> <li>iii. The link to the OPERAT digital platform which supports taxable persons and professionals in the regulatory obligations imposed by the decree of 23 July 2019 (known as the “tertiary decree”) taken in application of Article 175 of the ELAN Law <a href="#">plateforme OPERAT – ADEME</a>.</li> </ul> <p>In the context of the sampling analysis, the following evidence was provided for a sample of 60 projects of renovation:</p>			

- iv. A document proving the subsidy decision, its amount and the expected date of completion of works (e.g. granting decision order (*arrêté attributif de subvention*) and/or letter of grant notification issued by the State administration in the local authority concerned).
- v. One or several documents, depending on the level of complexity of the project and/or on the number of buildings concerned, indicating the types of energy renovation works that will be performed by the selected company/ies (such as quotes, "*actes d'engagement*").
- vi. One or several documents, depending on the level of complexity of the project and/or the number of buildings concerned, attesting the level of energy gains expected by the project (energy performance diagnostic, thermal studies, etc).
- vii. One or several documents attesting the start of the works, such as "service orders" (*ordre de service*) issued by the beneficiary.
- viii. In relevant cases, one document attesting the completion of the works, such as "certificates of completion of works" issued by the project managers, payment of the last bill signed by the beneficiary with a mention certifying that all works have been completed, or "reception decisions" signed by the beneficiary certifying that the works have been completed.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **1954 buildings belonging to local and regional authorities have received a grant for energy renovation.**

The number of buildings included in the list of projects validated by the DGCL's system of information exceeds the target of 1954 buildings (2333 records). Three types of subsidies for thermal renovation are allocated, depending on the territorial level of the authority:

- i. DSIL RT, "dotation de soutien à l'investissement local – renovation thermique": most buildings have been subsidised through a grant to support local investment for thermal renovation, as they belong to municipalities and inter-municipalities (1802 records, e.g. 77.2%)
- ii. DSID RT, "dotation de soutien à l'investissement des départements": a grant to support investment in "départements" for thermal renovation has been allocated to 380 buildings belonging to French "départements" (16.3%)
- iii. DRI, "dotation régionale d'investissement": a grant to support regional investments has been allocated to 151 buildings for thermal renovation works (e.g. 6.5%)

The "subsidy decisions" (see evidence iv.) provided for a sample of 60 projects, representing 60 buildings of the list, confirms that local and regional authorities to which the buildings belong have received a grant notification for energy renovation (DSIL, DSID or DRI, depending on their level of governance: municipality, department, region).

Each subsidy decision also confirms that the beneficiary of the grant, the location of the project, the number and type of buildings concerned (schools, primary college, high schools, among others), as well as the date of the notification corroborate the data reported in the DGCL's system of information.

**The selection of projects is expected to meet the objective of achieving at least 30% of energy**

**savings on average**

The evidence provided for a sample of 60 units confirm that on average, the projects will achieve more than 30% of energy savings.

For 45 samples, different types of evidence were provided: energy studies, energy audits, energy performance diagnosis (DPE, "*diagnostic de performance énergétique*"), that enable assessing the energy consumption of the building before works, as well as the energy consumption after works. When measuring energy savings, a conservative approach was adopted, based on the work carried out and the lowest energy gain scenarios.

For 10 samples (9, 10, 11, 37, 47, 53, 54, 56, 59 and 60), the information provided on energy consumption after works was not sufficient to assess the exact percentage of energy savings: in such cases, we applied a conservative flat rate of 10% of energy gains, based on evidence (e.g. contracts for energy works) provided on the types of energy renovation works that will be performed.

For one sample (42), the project concerns the installation of solar panels: although consumption of self-produced electricity cannot be equated with a formal reduction of energy consumption this project was considered eligible, in line with the interpretation of "the decree adopted in application of Article 175 of the ELAN Law, which imposes a reduction in energy consumption by 40% by 2030" (which sets the framework for this measure, as indicated by the Council Implementing Decision). This interpretation is laid down in the Q&A provided by the OPERAT platform, which states that projects based on renewable energy self-consumption contribute to the achievement of the objectives of the Law: "although the general objective is energy sobriety, the consumption of renewable energies produced on site and self-consumed contributes to the reduction of energy consumption and the achievement of the objectives". In order to apply a conservative approach for the calculation of energy savings, we applied a 0% rate to this project, despite the fact that energy bill decreased by more than 40%.

For four samples (20, 29, 51 and 58), the projects were abandoned: in such cases, we applied a 0% rate for energy gains, and the samples were considered as "failed".

The four failed samples do not put in question the achievement of the target.

Based on these calculations, the average energy savings for the 60 samples achieve 34.38%.

**The grant shall be notified by the State or by the Regional Council when it is in charge of the selection procedure**

The "subsidy decisions" (see evidence iv.) provided for a sample of 60 units confirm that all subsidy notifications have been signed by the State services at regional or local level.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 2-1	Related Measure: C2.R1 Climate & Resilience Law
<b>Name of the Milestone:</b> Law Climate & Resilience	

<b>Qualitative Indicator:</b> Entry into force	<b>Time:</b> Q2 2022
<p><b>Context:</b></p> <p>The objective of the Climate &amp; Resilience Law is to contribute to the GHG emissions reduction target for 2030, by securing the achievement of between half and two-third of the way to be covered between emissions in 2019 and the target for 2030. This Law is based on proposals made by the Citizens' Climate Convention, and is covering the entire scope of the economy (consuming, producing &amp; working, moving, living, feeding and strengthening the judicial protection of the environment). It shall in particular improve the air quality in cities thanks to the creation of low GHG emission zones in agglomerations above 150,000 inhabitants.</p> <p>Milestone 2-1 is part of the reform, and concerns the promulgation of the Law and the entry into force of those provisions of direct applicability, e.g. those which do not require implementing acts to be into force.</p> <p>Milestone 2-1 is the first step of the implementation of the Law and it will be followed by Milestone 2-2, related to the creation of low GHG emission zones in agglomerations, with the completion by Q3 2024 by 18 agglomerations of the regulatory study aiming at creating such zones.</p>	
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. A Summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.</li> <li>ii. A copy of the Law No.2021-1104 promulgated on 22 August 2021, related to the fight against climate change and strengthening resilience to its effect (called the "Climate &amp; Resilience Law") and a link to the Law <a href="https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000043441">Légifrance - Publications officielles - Journal officiel - JORF n° 0196 du 24/08/2021 (legifrance.gouv.fr)</a>.</li> </ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"> <li>iii. An Excel file listing the articles with direct applicability.</li> </ul>	
<p><b>Analysis:</b></p> <p>The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.</p> <p><b>Promulgation by the beginning of 2022.</b></p> <p>The Law has been promulgated on the date of its adoption, on 22 August 2021, and it has been published in the Official Journal No.00196 of 24 August 2021. At the time of achievement of the milestone (Q2 2022), the Law was promulgated.</p> <p><b>Entry into force of measures that have direct applicability.</b></p> <p>The "summary document" specifies that 148 Articles (out of the 301) are of direct applicability, and the Excel file provides the list of those articles: some provisions of Articles 1,3,4,5,8,9,10,11,14,15,16,17,18,19,20,25,28,29,32,33,34,36,37,38,40,42,43,44,45,46,48,49,50,51,52,53,54,56,57,58,60,61,62,64,66,69,70,71,72,73,74,75,76,77,81,82,84,86,87,88,90,91,92,93,94,97,99,102,103,104,105,106,108,110,112,113,115,116,117,118,120,123,124,125,126,127,128,129,1</p>	

30,131,132,133,135,136,137,139,140,141,142,143,144,148,149,150,151,152,153,154,156,157,159,161,162,165,166,168,170,173,174,175,176,177,178,179,180,182,184,185,187,188,189,191,193,195,196,198,199,200,201,203,204,207,208,209,211,213,216,217,218,219,221,226,228,229,230,231,232,235,240,241,243,245,248,251,253,254,255,257,258,259,260,261,262,263,264,265,266,267,270,271,273,274,275,276,278,279,280,281,284,285,286,287,289,290,291,292,294,295,296,297,298,299,300,301,302,303,304, and 305 have direct applicability as (i) they do not specify any later date of entry into force, and (ii) do not refer to future implementing acts to enter into force.

**Some measures of the Law are based on recommendations of the Citizens' Climate Convention.**

Some articles referred to in the "summary document" echo the recommendations of the Citizens' Climate Convention (CCC):

- i. Article 35 of the Law reinforces the scheme for the promotion of public purchases socially and environmentally responsible: for instance, it sets "precise indicators, expressed in number of contracts or in value, on the real rates of public purchases falling within the categories of socially and ecologically responsible public purchases made by the public buyer concerned [...] it specified the target objectives to be achieved for each of these categories". Such provisions respond to one of the CCC's recommendation on the need to strengthen environmental clauses in public procurement.
- ii. Article 124 of the Law enables the traffic police authorities to test, for a period of three years from the promulgation of the Law, dedicated lanes for shared vehicles and collective transport on motorways or expressways serving a low GHG emission zone. Such provision responds to one of the CCC's recommendations to generalise the development of lanes reserved to such vehicles on motorways and expressways.
- iii. Article 279 of the Law creates an offense of endangering the environment, when non-compliance with the regulations could have led to serious and lasting pollution: the fact of having exposed the environment to a risk of lasting degradation of the fauna, flora or waters, by violating an obligation of safety or prudence may be punished by three years' imprisonment and a fine of EUR 250 000. Sanctions may also apply even in the absence of pollution. These provisions partially respond to one of the recommendations of the CCC aimed at controlling and sanctioning more effectively and more quickly violations of environmental rules.
- iv. Article 286 increases the level of a large number of sanctions provided in the Environmental Code. For instance, fine will be increased from EUR 9 000 to 30 000 for unauthorised discharges at sea, illegal activities in protected areas (such as Natura 2000 zones) or non-compliance with fishing rules aiming at protecting marine fauna. Such provisions are part of several proposals made by the CCC aimed at controlling and sanctioning more effectively and more quickly violations of environmental rules.

These provisions demonstrate that the Law is based on several recommendations of the CCC.

**The Law provides for climate and environmental measures that contribute to GHG emissions reduction target for 2030.**

The main objectives of the Law are to fight against climate change and strengthen resilience to its effects. By definition, the Law aims at reducing GHG emissions and contributing to the 2030 target.

The following provisions will clearly contribute to the reduction of GHG emissions, in particular in the field of transport which is one of the most emitting sector:

<ul style="list-style-type: none"> <li>i. Article 103: end of selling new heavy vehicles using mainly fossil fuels (diesel or conventional gasoline) by 2040.</li> <li>ii. Article 130: gradual phasing-out of the tax benefit on diesel by 2030 for the transport of goods, accompanied by “reinforced support for the energy transition of the road transport sector”.</li> <li>iii. Article 119: setting up of low emission zones (limiting the circulation of certain vehicles) by 2025) in all metropolitan areas of more than 150 000 inhabitants.</li> </ul> <p><b>The Law covers six chapters covering the entire scope of the economy</b></p> <p>The Law is structured around six titles: “Consuming” (Title II, from Article 2 to Article 29), “Producing and working” (Title III, from Article 30 to Article 102), “Moving” (Title IV, from Article 103 to Article 147), “Living” (Title V, from Article 148 to Article 251), “Feeding” (Title VI, from Article 252 to Article 278); and “Strengthening the judicial protection of the environment” (Title VII, from Article 279 to Article 297).</p>
<b>Commission Preliminary Assessment:</b> Satisfactorily fulfilled

<b>Number:</b> 2-3	Related Measure: C2.R2 Law on circular economy
<b>Name of the Milestone:</b> Decree implementing the anti-waste and circular economy Law on the establishment of the building waste and building materials industry	
<b>Qualitative Indicator:</b> Entry into force	<b>Time:</b> Q1 2022
<p><b>Context:</b></p> <p>The objective of the Law on circular economy is to operate a change of model defining a new economic framework that facilitates valuation rather waste disposal, and to create the conditions for a collection of close to 100% of recyclable waste.</p> <p>The reform concerns the adoption of implementing acts (“Decrees”) deriving from the 2020 Law.</p> <p>Milestone 2-3 is part of the reform, and concerns the entry into force of the Decree on the establishment of the extended producer responsibility for construction and public works materials waste.</p> <p>This milestone is the first step of the implementation of the law on circular economy, and will be followed by M2-3a (due by Q1 2025) which consists in the entry into force of two additional Decrees related to the implementation of the Law.</p>	
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. A Summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex;</li> <li>ii. A copy of the Decree No.2021-1941 adopted on 31 December 2021, and published in the Official Journal No.0001 of 1 January 2022, related to the Extended Producer</li> </ul>	

Responsibility for construction products and materials in the building sector, and a link to the Decree [Décret n° 2021-1941 du 31 décembre 2021 relatif à la responsabilité élargie des producteurs pour les produits et les matériaux de construction du secteur du bâtiment - Légifrance \(legifrance.gouv.fr\)](#) ;

- iii. A copy of the Law No.2020-105 promulgated on 10 February 2020, published in the Official Journal No.0035 of 11 February 2020, related to circular economy and the fight against waste and a link to the Law [Loi n° 2020-105 du 10 février 2020 relative à la lutte contre le gaspillage et à l'économie circulaire \(1\) - Légifrance \(legifrance.gouv.fr\)](#).

The authorities also provided:

- iv. A copy of the Order adopted on 10 June 2022, published in the Official Journal No.0142 of 21 June 2022, laying down specifications for eco-organisations, individual systems and coordinating organisations with extended producer responsibility for construction products and materials in the building sector, and a link to the Order [Arrêté du 10 juin 2022 portant cahier des charges des éco-organismes, des systèmes individuels et des organismes coordonnateurs de la filière à responsabilité élargie du producteur des produits et matériaux de construction du secteur du bâtiment - Légifrance \(legifrance.gouv.fr\)](#).
- v. A copy of the Order adopted on 30 September 2022, published in the Official Journal No.0241 of 16 October 2022, approving an eco-organisation with extended producer responsibility in the sector of construction products and materials in the building sector (Valobat), and a link to the Order [Arrêté du 30 septembre 2022 portant agrément d'un éco-organisme de la filière à responsabilité élargie du producteur de produits et matériaux de construction du secteur du bâtiment \(PMCB\) - Légifrance \(legifrance.gouv.fr\)](#).
- vi. A copy of the Order adopted on 30 September 2022, published in the Official Journal No.0252 of 29 October 2022, approving an eco-organisation with extended producer responsibility in the sector of construction products and materials in the building sector (Ecominero), and a link to the Order [Arrêté du 30 septembre 2022 portant agrément d'un éco-organisme de la filière à responsabilité élargie du producteur de produits et matériaux de construction du secteur du bâtiment \(PMCB\) - Légifrance \(legifrance.gouv.fr\)](#).
- vii. A copy of the Order adopted on 6 October 2022, published in the Official Journal No.0241 of 16 October 2022, approving an eco-organisation with extended producer responsibility in the sector of construction products and materials in the building sector (Valdelia), and a link to the Order [Arrêté du 6 octobre 2022 portant agrément d'un éco-organisme de la filière à responsabilité élargie du producteur de produits et matériaux de construction du secteur du bâtiment \(PMCB\) - Légifrance \(legifrance.gouv.fr\)](#).

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.

**Entry into force of the decree**

The Decree No.2021-1941 on the Extended Producer Responsibility for construction products and materials in the building sector entered into force on 1 January 2022, the day of its publication in the national Official Journal (JOFR No.0001 of 1 January 2022). As stipulated in Article 4 of the Decree, "the provisions of this decree enter into force on 1 January 2022 with the exception of



Article 3 which [...] is applicable when at least one eco-organisation in charge of taking care of waste of the construction products and materials from the building sector”.

Since October 2022, four eco-organisations were approved, as it is evidenced by three accreditation Orders concerning construction products and materials in the building sector (Valobat, Ecominero and Valdelia).

Therefore, all provisions of the Decree are now in force.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

Number: 2-5		Related Measure: C2.I1 Decarbonisation of industry	
Name of the Target: Greenhouse gas emissions avoided			
Quantitative Indicator: MtCO2eq (million tonnes of CO2 equivalent)	Baseline: 3.50	Target: 5	Time: Q4 2022
<p><b>Context:</b></p> <p>The objective of this investment is to contribute to the decarbonisation of the industrial sector in France. Calls for projects are organised to select and finance energy efficiency investments or investments to improve industrial processes in order to reduce greenhouse gas (GHG) emissions.</p> <p>Target 2-5 requires reaching an amount of avoided GHG emissions throughout the life of the project, as calculated in comparison of the “before investment” situation. This projection is defined by the operator in the reply to the calls for tenders. More precisely, it requires to reach 5 MtCO2eq by Q4 2022.</p> <p>Target 2-5 is the second and last target of the investment, and it follows the completion of target 2-4, which aimed at reaching 3,5 MtCO2eq by Q2 2021.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. Summary document duly justifying how the target was satisfactorily fulfilled.</li><li>ii. List of recipients with specific information by project.</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>iii. Financial conventions of projects selected signed by the Environment and Energy Management Agency (<i>Agence de l’Environnement et de la Maîtrise de l’Energie, hereinafter referred to as “ADEME”</i>) and the recipient.</li><li>iv. Technical annexes of project selected.</li><li>v. Terms of reference of call for project “DECARB IND” issued by ADEME for year 2021.</li><li>vi. Legal convention for organisation of call for projects by the payment services agency (<i>Agence des Services de Paiement, hereinafter referred to as “ASP”</i>) issued in 2020.</li></ul>			
<p><b>Analysis:</b></p> <p>The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.</p>			



**5 MtCO<sub>2</sub>eq of GHG emissions avoided.**

The French authorities provided a list of 18 projects, the cumulation of which allows to reach 2.17 MtCO<sub>2</sub>eq of avoided GHG. Following an analysis of the evidence provided by France in evidence ii, one project was deemed ineligible as it does not fully comply with the Do No Significant Harm requirement that investments made within ETS installations enable to decrease CO<sub>2</sub> emissions *significantly* below the benchmarks included in the ETS Directive. As a result, the cumulation of GHG emissions avoided by the projects submitted allows to reach 2.11 MtCO<sub>2</sub>eq.

In accordance with the Council Implementing Decision, the baseline to be taken into account for the assessment of that target is 3.5 MtCO<sub>2</sub>eq. The Commission has assessed that this target (2-4) was reached as part of the first payment request. The additional 2.11 MtCO<sub>2</sub>eq of avoided GHG fulfil target 2-5. As indicated by the target, the emissions avoided are defined by the operator. The number declared by the operators have been reported in the technical annex to the financing convention provided by France.

**The GHG emissions avoided throughout the life of the project, as calculated in comparison of the “before investment” situation was defined by the operator in the reply to the call for tenders.**

Similar to the first payment request, France provided the financial agreement and the technical annex for all the projects. The technical annexes describe the investment and the benefit expected in terms of GHG avoided. These annexes are prepared by the ADEME and are based on the evaluation of the information provided by each project owner when they applied to the call, as required by the terms of reference. Each annex includes a section on the calculation of the benefit expected. The list of beneficiaries provides a projection of the GHG avoided over a period of one year and 20 years.

**The investments made within ETS installations enabled to decrease CO<sub>2</sub> emissions below the benchmark included in the ETS Directive.**

Furthermore, in line with the Do No Significant Harm principle and the Council Implementing Decision, investments made within ETS installations should enable to decrease CO<sub>2</sub> emissions *significantly* below the benchmark included in the ETS Directive. This means that the investments made for these industrial sites should result in emitting less than the 10% best performers of the same ETS benchmark. When this is not possible, a justification should be provided.

The list of beneficiaries indicates that six projects concern investments made within ETS installations. For those, France provided the relevant ETS benchmark (name and value). The document also indicates the average emission of the 10 % best performers of the same ETS benchmark.

For four projects, the evidence provided by France shows that the investments will enable to decrease CO<sub>2</sub> emissions significantly below the benchmark included in the ETS Directive.

The expected GHG emissions avoided are not significantly below the ETS benchmark for two projects. For those projects, in line with the Do No Significant Harm principle and the Council Implementing Decision, France provided a technical justification. For one project, the justification raised concerns. As a precautionary measure, also taking into consideration the avoided GHG emissions exceeded the target, the Commission excluded this project from its consideration. This does not impact the satisfactory fulfilment of the target.

**Furthermore, in line with the description of the measure, the funds were allocated in two ways, either through calls for projects conducted by ADEME (Agency for ecological transition), for larger projects representing an investment above EUR 3 000 000 or through a one-stop support**

**distributed by the public agency ASP (*Agence de Services et de Paiement*) for smaller and more standardized energy efficiency improvement projects (with an investment amount of less than EUR 3 000 000), based on a list of eligible equipment defined by decree.**

In the list of beneficiaries provided by France, it is indicated under which procedure the project was selected. All projects of this payment request were selected under the calls launched by the ADEME called DECARB IND. France provided the terms of reference of the calls adopted respectively in 2020 and 2021 but also the legal convention signed in 2020 by the Economy Ministry and the ASP proving that the call for smaller projects was also organised and indicating also the decrees used as legal basis to define the list of eligible equipment (see Article 1 of Decree No.2020-1361).

**Furthermore, in line with the description of the measure, projects selected by ADEME were energy efficiency investments or investments to improve industrial processes in order to reduce GHG emissions.**

**Furthermore, in line with the description of the measure, the selection made by ADEME was made based on various criteria including performance in terms of GHG emissions compared to the requested support.**

**Finally, in line with the description of the measure, terms of reference for upcoming calls for projects shall require that investments made within EU Emission Trading System (ETS) installations shall enable to decrease CO2 emissions below the benchmark included in the ETS Directive, in a way that ensures that the measure complies with the ‘do no significant harm’ principle of Regulation (EU) 2021/241.**

The terms of reference of call DECARB IND comply with the requirement listed above:

- The eligibility section sets out that only investments to improve industrial processes are eligible for selection;
- One of the selection criteria is the ratio amount of aid compared to tons of CO2 avoided over 20 years (the duration of 20 years allowing to compare all the projects on the same basis);
- The condition related to ETS installations is also included in both calls, including the requirement to provide a justification.

Considering that 18 projects were selected to reach the targets, further evidence was provided in order to check their compliance with the requirements of the measure. The evidence provided for all units confirmed that all requirements of the target have been met but for one project, which was therefore not counted towards the target, with no impact on its satisfactory fulfilment.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 2-7	Related Measure: C2.I3 Urban densification: brownfields		
<b>Name of the Target:</b> Number of projects for which a grant has been signed for recycling operation of wasteland or of urbanized area			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 90	<b>Time:</b> Q1 2022
<b>Context:</b> The measure aims to rehabilitate and recycle brownfield and wasteland sites. Two categories of projects may be supported by the brownfield fund: <ul style="list-style-type: none"><li>• Recycling of brownfields</li><li>• Recycling of urbanized land</li></ul>			

Target 2-7 concerns the number of projects for which a grant has been signed for recycling operation of wasteland or for a recycling operation of urbanized area.

Target 2-7 is the first step of the implementation of the investment C2.I3 (Urban densification: brownfields) and it will be followed by target 2-8, related to a higher number of projects for which a grant has been signed for a recycling operation of wasteland or of urbanized area in 2023.

**Evidence Provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled, with appropriate links to the underlying evidence.
- ii. The list and number of 120 projects for which a grant has been signed.

In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:

- iii. The published Call for tenders for each region.
- iv. The CEREMA (*Centre d'études et d'expertise sur les risques, l'environnement, la mobilité et l'aménagement*) convention signed on 16 April 2021 and the Addendum 1 signed on 13 April 2022.
- v. Call for projects Land recycling of brownfield sites 2020-2021 (links in Summary document).
- vi. The Financing agreement for each project.
- vii. Grant agreement for each project by region.
- viii. Budget général – Mission Ministérielle – Ecologie – Projets annuels de performances – annexe au projet de loi de finances pour 2022 (programme 362).
- ix. Budget général – Programme 362 – Ecologie – Projet annuel de performance – annexe au projet de loi de finances pour 2023.
- x. Internal Communication from the Ministère de la Transition écologique to relevant authorities (FLASH) No.8.2021 FUNDS BROWNFIELDS communication of 24 June 2021 + Note of 2 July 2021 + Annex 1.
- xi. Internal Communication from the Ministère de la Transition écologique to relevant authorities (FLASH) No.17.2020 FUNDS BROWNFIELDS communication of 27 November 2020 + Explanation note of Attribution procedure.

**Analysis:**

The justification and substantiating evidence provided by the French authorities cover all constitutive elements of the target.

**90 projects for which the grant agreement has been signed, either for a recycling operation of a wasteland, or for a recycling operation of urbanized land.**

The evidence provided (see evidence vii) confirmed that for a sample of 60 units, out of the 120 provided as evidence, the grant agreement has been signed. The type of operation (recycling operation of a wasteland or recycling operation of urbanized land) is also evidenced by the grant agreement (see evidence vii) and has been verified for each of the 60 units in the sample.

**Furthermore, in line with the description of the measure, the projects are selected by the State through regional calls for tenders, with the help of technical services (both at national and regional levels). Once selected a grant agreement will be signed between the State and the**

**beneficiary.**

For each of the 60 units in the sample the projects are selected by the State through the regional calls for tenders (see evidence iii).

The evidence provided (see evidence vii) confirmed that the projects are signed between the State and the beneficiary for each of the 60 units in the sample.

**Furthermore, in line with the description of the measure, an envelope will be devoted to the development of land knowledge tools in order to support local authorities in the inventory of wastelands and in the operational implementation of recycling operations.**

As evidenced by the supporting documents attached to the draft budget laws (see evidence ix) that the French authorities submitted to Parliament, the amount of EUR 1,1m was devoted by the State for the years 2021-2024 to the development of land knowledge tools in order to support local authorities in the inventory of wastelands and in the operational implementation of recycling operations.

**Furthermore, in line with the description of the measure, beneficiaries of the “brownfield fund” must be the owners of the site**

The evidence provided by the French authorities (see evidence vii) confirmed that the projects were selected by the State through regional calls for tenders and that the beneficiaries of the ‘brownfield fund’ had to be the owners of the site.

The Council Implementing Decision required the beneficiaries of the “brownfield fund” to be the owners of the site. The French authorities required in the calls for projects that “eligible project owners are the developers of brownfield recycling projects” (evidence iii, page 7). In this respect, beneficiaries of the fund are described as project owners rather than owners of the site.

Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, which requires beneficiaries of the “brownfield fund” to be the owners of the site, the difference in the wording identifying the beneficiaries of the fund has no impact on the achievement of the objectives of this measure. This is because the ownership status of the selected projects has no direct incidence on the scope or outcome of the rehabilitation and recycling brownfield and wasteland operations conducted.

As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents.

On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

Number: 2-9	Related Measure: C2.I4 Biodiversity		
Name of the Target: Number of projects supported in the fields of ecological restoration and protected areas			
Quantitative Indicator: Number	Baseline: 0	Target: 700	Time: Q4 2022
Context: The measure aims to support local authorities, associations and other authorities managing natural areas to invest in biodiversity protection and restoration projects where the ecosystems			

are in danger. Several types of investments are funded under this measure aiming at ecological restoration and supporting protected areas. Projects are to be selected in 2021 and 2022 through calls for projects or progressively over the course of the measure as new eligible projects are identified.

Target 2-9 concerns the number of projects supported in the fields of ecological restoration and protected areas. Target 2-9 is the only milestone or target of this investment.

First commitments shall start before 31 December 2021. At least 700 projects under this component shall be supported by 31 December 2023.

**Evidence Provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A summary document duly justifying how the target was satisfactory fulfilled.
- ii. A list of 1 324 recipients specifying the project category and sub-category, the recipient's name, the location and the title and description of the project.

In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:

- iii. The contracts signed with the projects' owners.
- iv. Screenshots from ministry's database or copy of bills allowing to check the commitment of funds.

In addition, the authorities also provided:

- v. The terms of reference of the call for projects conducted by the water agencies.
- vi. The signed contract for the realisation of the fish ladders in the Rhin and the report of the ministerial conference between the States concerned describing the international cooperation behind the project.

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**700 projects related to ecological restoration and supporting protected areas shall be supported by Q4 2022.**

The list of recipients selected provided by the French authorities contains 1 324 projects that either aim at ecological restoration or supporting protected areas.

The evidence provided for a sample of 60 units confirmed that the requirements of the target have been met for 59 projects. All the projects fall in one of the categories listed in the measure description related to the type of project and the authorities in charge of the selection (also further detailed below) and have been selected accordingly. France provided evidence in the form of extract of the database of the selecting authorities showing that contracts have been signed for all projects before December 2022 and funds have been granted for some of them.

One project has been selected, but the project's promoter later abandoned the project. However, as France contracted a much larger number of projects than what was foreseen in the target, there is sufficient reassurance that the latter is achieved.

**Furthermore, in line with the description of the measure two types of measure shall be funded under the recovery and resilience plan:**

**Concerning measures aiming at ecological restoration:**

- **The six Water Agencies shall implement projects aiming at preserving water resources, restoring biodiversity and ecological continuity of aquatic environments, maintaining ecosystems; the funds shall be allocated either through calls for projects or in a one-stop-shop logic, within a framework validated by the Agency's Board of Directors and in application of the agreement signed with the Ministry of Ecological Transition.**

There are six water agencies in France (agency for region Artois-Picardie, agency for region Seine Normandie, agency for region Rhin Meuse, agency for region Rhône Méditerranée Corse and agency for region Adour Garonne). The list of beneficiaries provided by the French authorities include projects supported by all six agencies.

- **Ecological continuity for fishes (fish ladders) at the Rhinau and Marckolsheim dams on the Rhine River. This investment is an engineering and infrastructure project that shall be implemented in partnership with EDF ("Electricité de France", the French electricity incumbent), local authorities, national experts, the Rhine-Meuse water agency and the French Office for Biodiversity. It is a cooperation project with countries bordering the Rhine.**

This project is part of the list of supported projects sent by the authorities under the number 63 and called "*Création de passes à poissons sur le Rhin*". As indicated in the list of beneficiaries, this project will benefit EDF and concerns the construction of fish ladders in Rhinau and Markolsheim. This project has been selected in response to the commitments taken by France vis-à-vis the other countries crossed by the Rhine in the framework of the Convention for the Protection of the Rhine. The French authorities provided further evidence demonstrating that the project has been funded including the report from the ministerial conference between the States concerned describing the international cooperation behind the project.

- **The French Office for Biodiversity (OFB) shall manage several types of projects: biodiversity atlas at municipal levels, actions in favour of the preservation and restoration of biodiversity implemented by "project leaders" selected after calls for projects.**

The French authorities provided call for projects for the creation of biodiversity atlas at municipal levels conducted by the OFB, as well as other actions in favour of the preservation and restoration of biodiversity (e.g. restoration of terrestrial ecosystems or education and restoration actions).

- **The State shall pilot actions for ecological restoration in metropolitan France and in the DOM ("Départements d'Outre Mer"). Projects shall be selected either through calls for projects or in a one-stop-shop logic within the framework established by the Ministry of Ecological Transition.**

The Regional Directorate for the Environment, Planning and Housing (*hereinafter referred to as "DREAL"*) which is under the authority of the prefects (i.e. representants of the State) is in charge of implementing the policies of the Ministry of Ecological Transition and Territorial Cohesion. Therefore, through the DREAL the State pilots the actions required by the measure description.

**Concerning measures aiming at supporting protected areas:**

- **The State shall pilot actions for protected areas in metropolitan France and in the DOM. Projects shall be selected either through calls for projects or in a one-stop shop logic within the framework established by the Ministry of Ecological Transition.**

The Regional Directorate for the Environment, Planning and Housing (DREAL) which is under the authority of the prefects (i.e. representants of the State) is in charge of implementing the policies of the Ministry of Ecological Transition and Territorial Cohesion. The list of recipients indicates that, through the DREAL several projects were selected in metropolitan France and in the DOM.

The authorities also sent the calls for projects that were conducted according to the guidelines of the measure “*Biodiversité*” laid down by the ministry of Ecological transition in the France relance plan, which is the recovery plan launched by the French authorities in 2020.

- **The French Office for Biodiversity (OFB) shall support protected areas within natural marine parks and other protected areas managed by the OFB.**

The French office for biodiversity (OFB) is a public body under the control of the Ministry of Ecological Transition and Territorial Cohesion. The list of recipients includes projects selected by the OFB included projects located within natural marine parks (such as project number 1009 “PREPANETCONCH”).

- **The 11 national parks in France shall invest in the preservation of natural, cultural and landscape heritage, the development of knowledge on biodiversity and the education on the environment and sustainable development.**

The national parks are public bodies under the control of the Ministry of Ecological Transition and Territorial Cohesion. The list of recipients indicates that several projects were selected within the 11 national parks in France. They participate to the preservation of natural, cultural and landscape heritage (e.g. project number 1048 “*Caractérisation patrimoniale des espaces portuaires du bassin d’Arcachon*”), the development of knowledge on biodiversity (e.g. project number 1065 “*Habitats sédimentaires marins et flux de contaminants issus des zones Portuaires (HAPORT) dans le Parc naturel marin des estuaires picards et de la mer d’Opale*”) and education on the environment and sustainable development (e.g. project number 1109 “*Future Maore Reefs (projet de R&D)*”).

**Furthermore, in line with the description of the measure, in 2021 and 2022 the projects were identified either through calls for projects or progressively over the course of the measure.**

As indicated in the call for projects provided by the authorities, the calls were closed either during the period 2021-2022 or are still ongoing.

**Finally, in line with the description of the measure, the first commitments shall start before 31 December 2021.**

This condition was checked through the control of the sampling. Out of the 60 projects checked, France demonstrated that the funds were committed before 31 December 2021 for 27 projects. Therefore, there is sufficient assurance that the first commitments started already before 31 December 2021.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 2-11	Related Measure: C2.I6 Secure water networks		
Name of the Target: Number of linear km of drinking water networks and sanitation networks supported			
<b>Quantitative Indicator:</b> Km	<b>Baseline:</b> 0	<b>Target:</b> 450	<b>Time:</b> Q4 2022
<b>Context:</b> The objective of investment C2.I6 is to achieve the renovation and rehabilitation of 450 kilometres of water networks in France, including the DOM (overseas territories). This measure will finance the following three sub-measures (the first two will take place in metropolitan France, and the last will concern only the DOM): Water Agencies will support investment in the modernization of clean			



water and sanitation distribution networks; investments in the sanitization of more than 6 500 tonnes of dry sludge, in order to enable spreading; priority investments to upgrade water and sanitation networks, within the framework of the DOM Action Water Plan.

Target 2-11 refers to the number of kilometres of drinking water networks or sanitation networks for which renovation works have been started. This is the only target of measure C2.16 Secure water networks.

Together with the completion of this target, in line with the description of the measure in the Council Implementing Decision, France will demonstrate the investment's contribution to the sanitization of more than 6 500 tonnes of dry sludge. This is a further step of this measure that is not linked to the milestones and targets in the Council Implementing Decision.

**Evidence Provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A Summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex;
- ii. A list of recipients Excel file for the water works including: the type of project – drinking water or sanitation (column D); the recipients (column F); the number of kilometres supported (column E); location (column G and H);
- iii. A list of recipients Excel file with the list of projects selected for the sanitization of dry sludge including: the water agency; the projects title; the project description; type of project; km of network; and location.

The authorities also provided:

- iv. Copies of the decisions of allocation of funds for the projects regarding the sanitization of dry sludge (Annex 3 a-l).
- v. A copy of the technical note of 10 May 2019 on the implementation of the DOM water action plan (Guadeloupe, Guiana, Martinique, Réunion, Mayotte and Saint-Martin) issued by The Minister of State, The Ministry for the Ecological Transition and Solidarity; The Minister for Overseas France, as published on 15 May 2019 on the '*legifrance*' website with the standardised numbering system for official texts published in France 'NOR' (NOR: TREL1907005N).
- vi. Copies of the local progress contracts on drinking water and wastewater services for the DOM.
- vii. An explanatory Excel file indicating the link with the financial agreement for the projects in the DOM, notably by providing the page numbers of the relevant local progress contracts.
- viii. A copy of the financial agreements for the sanitization of dry sludge projects.
- ix. A second Excel file with the list of projects selected for the sanitization of dry sludge with an explanation of the calculation of the tonnes of dry sludge (*tonnes en matière seches*, TMS).
- x. A copy of the explanation for the calculation of the tonnes of dry sludge indicator.
- xi. A copy of the funding request for the Rhône-Méditerranée-Corse Water Agency.

In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:

- xii. Evidence of the number of kilometres with documents including decisions of allocation of funds, financial agreement and project descriptions.
- xiii. Evidence for the start of works including work orders and certificates of start or end of works.



- xiv. Copies of the selection procedures for four of the water agencies including the signed deliberation from Adour Garonne and Seine-Normandie water agencies boards, signed communication from the president of the board of the Rhone Mediterranee Corse water agency to the president of the committees, and a copy of the selection procedure for the water agency Loire-Bretagne.
- xv. Copies of the call for projects of two water agencies (Loire-Bretagne and Adour-Garonne).

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**450 kilometres of drinking water networks or sanitation networks for which renovation works have been started.**

The evidence provided for a sample of 60 units confirmed that the renovation works for 450 km of drinking water networks or sanitation networks started by the submission of the payment request on the 31 July 2023. The French authorities provided a list of already started 705 projects for the renovation works of water or sanitation networks which had been started for a declared 1 924 km of network (see evidence ii). On this basis, a sample of 60 projects was selected which represented a declared 149 km of networks for which works started. The evidence provided was signed, clearly linked to the sample unit from the list of beneficiaries, indicated the relevant Water Agency, the location, included the project description, and indicated the number of linear meters or kilometres of networks. Ten out of 60 sample units were not supported by the necessary evidence or demonstrated that the works had not started. The evidence demonstrating the number of km (see evidence xii) combined with the evidence demonstrating the start of works (see evidence xiii) for the 50 successful units confirmed that the renovation works for 121 km of drinking water networks or sanitation networks had started. On this basis, a statistical analysis was carried out comparing the reported 149 km to the actual 121 km of the sample and taking into account the significant overachievement of the target of 1924 km for a required 450 km. The conclusion is that there is statistical assurance that 450 km of renovation works of drinking water networks or sanitation networks has started. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Furthermore, in line with the description of the measure, the following two sub-measures take place in metropolitan France.**

**1) Water Agencies will support investment in the modernization of clean water and sanitation distribution networks. They will also invest in the upgrading of wastewater treatment plants and the disconnection of rainwater discharges from the networks.**

The evidence provided for a sample of 60 units, as indicated in the list of evidence above (see evidence xii) confirmed that the 57 sample units in metropolitan France included renovation works to modernize clean water and sanitation distribution networks, upgrade wastewater treatment plants and disconnect rainwater discharges from the networks.

The evidenced provided included the decisions of allocation of funds and the financial agreements, which were signed, allocating funds to the relevant Water Agency to carry out the works as indicated in the list of beneficiaries.

**2) investments in the sanitization of more than 6 500 tonnes of dry sludge, in order to enable spreading.**

The evidence provided for the 12 projects in the sanitation of dry sludge Excel file confirm that all projects concern the installation of units for the methanisation of sewage sludge, sewage dehydration units, works to enable or improve the liming of sewage sludge (see evidence iv, Annexes a-I), which output is dry sludge that will enable spreading.

The Council Implementing Decision required an investment in 6 500 tonnes of dry sludge, in order

to enable spreading. Five decisions of allocation of funds contracted between the beneficiary and the Water Agency (see evidence iv, Annex 3 a, b, c, d, k) together with the funding application file for one of the projects and the calculation explanations for that project provided by the French authorities (see evidence xi together with evidence ix) confirmed an investment in 6 283 tonnes of dry sludge. Whilst this constitutes a minimal deviation of 3.34% from the requirement of the Council Implementing Decision, the overall objective of this target is considered met notwithstanding the minor deviation. Therefore, it is considered that this minimal numerical deviation does not affect the progress towards the achievement of the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Furthermore, in line with the description of the measure, projects under the above two sub-measures are selected by the six Water Agencies, either through dedicated calls for projects or in a one-stop-shop logic, within the framework validated by the Agency's Board.**

The evidence provided for a sample of 60 units (see evidence xii), the calls for project launched by the Water Agencies (see evidence xv) and additional information provided concerning the selections procedures (see evidence xiv) confirmed that the projects from the successful sample units in metropolitan France were selected by the relevant Water Agency reported by the French authorities and that they were either selected by call for project or in a one-stop-logic within the framework validated by the agency's board. In the latter cases, the decisions of allocation of funds referenced the meetings or deliberations of the administration committee, or the signing by the director as per the internal rules of procedure of the administration committee (see evidence xii). Where this information was not immediately evident further information was provided to identify the selection procedure of the projects selected in a one-stop-logic and the related framework validated by the Agency's Board (see evidence xiv).

**Furthermore, in line with the description of the measure, the following sub-measure takes place in the DOM: priority investments to upgrade water and sanitation networks within the framework of the DOM Action Water Plan.**

The evidence provided for a sample of 60 units (see evidence xii) included three projects in the DOM, as indicated in the list of beneficiaries (see evidence ii), and confirmed that the financial agreements, provided as part of the sampling evidence (see evidence xii), between the French Biodiversity Office (OFB) and local authorities were signed and funded priority investments to upgrade water and sanitation networks within the framework of the DOM Action Water Plan (see evidence xii; v; and vi). The technical note of 10 May 2019 on the implementation of the DOM Water Action Plan outlined the directing principles of the DOM Action Water Plan, which included prioritising the improvement of drinking water services and maintenance and upgrading wastewater treatment facilities, in line with European requirements (see page 3 of evidence v). The technical note confirmed that local progress contracts are drawn to outline the local application of the DOM Water Action Plan over a period of five years (see page 5 of evidence v and see evidence vi). The financial agreements provided for the three sample units in the DOM (see evidence xii) either included direct reference to the progress contracts signed by the relevant authorities (see evidence xii and vi) or France provided the relevant information in order to connect the project to the progress contract (see evidence vi and vii) and hence the DOM Water Action Plan.

**Furthermore, in line with the description of the measure, in the DOM, the allocation shall be distributed between the State Directorates of the Environment, Planning and Housing (in particularly for preliminary studies and technical assistance in Guadeloupe and Martinique) and the French Biodiversity Office (OFB), which is in charge of funding the DOM Water Action Plan.**

The local progress contracts (see evidence vi), which outline the local application of the DOM

Water Action Plan, detail the governance context in which local action is implemented, including the State Directorates of the Environment, Planning and Housing (*Directions de l'environnement, de l'aménagement et du logement*, DEAL) and the French Biodiversity Office (*Office français de la biodiversité*, OFB). It must be noted that the evidence also referenced the *Agence française pour la biodiversité* (AFB) rather than the OFB given that the AFB was merged with the *Office national de la chasse et de la faune sauvage* (ONCFS), which together became the OFB in 2020. Furthermore, for the three sample units on projects in the DOM the financing agreements were established with the OFB (see evidence xii).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 2-12</b>		Related Measure: C2.I7 Modernisation of sorting centres	
<b>Name of the Target:</b> Number of contracts signed for the modernisation of sorting centres			
<b>Quantitative Indicator:</b> Number		<b>Baseline:</b> 0	<b>Target:</b> 32
<b>Time:</b> Q4 2022			
<b>Context:</b> The measure aims to tackle the challenges of sorting and recycling all types of waste, in particular household waste as well as hospital waste through: <ul style="list-style-type: none"><li>• The support of waste recycling, through an investment aid to local authorities or any institution open to the public;</li><li>• The acquisition of equipment to speed-up the sorting at source, collection and valorisation of bio-waste and household waste while making sure that this shall not foster mechanical biological treatment plants;</li><li>• The improvement of the treatment of infectious risk waste in hospitals thanks to “trivialisers”.</li></ul> Target 2-12 concerns the number of contracts signed for the modernisation of sorting centres. The objective is to achieve the modernisation of 32 sorting centres by 2026. Investments shall be committed in 2021 and 2022 and shall be completed by the end of 2025.  Target 2-12 is the first step of the implementation of the investment. It is followed by milestone 2-13 related to the finalisation of the call for proposals and support schemes and selection of recipients under the same payment request and target 2-14 related to the number of sorting centres modernised foreseen for 31 December 2025.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided: <ul style="list-style-type: none"><li>i. A summary document describing the investment.</li><li>ii. An Excel sheet listing the selected recipients with a description of the project, the region, the number of inhabitants served by the sorting centres.</li></ul> The authorities also provided: <ul style="list-style-type: none"><li>iii. For each project, either the contract between the <i>Agence de l’Environnement et de la Maîtrise de l’Energie</i> (hereinafter referred to as “ADEME”) and the recipient signed by both parties when funding exceeds 200 000 euros, or the contract signed by ADEME and sent to the recipient when funding is below 200 000 euros.</li><li>iv. A PDF document with the General rules for awarding ADEME grants.</li></ul>			

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**32 contracts signed for the modernisation of sorting centres.**

The French authorities provided a list of the 62 selected recipients including a description of the project, the region, the number of inhabitants served by the sorting centres.

For each project, the French authorities provided either the contract (Convention) between ADEME and the recipient signed by both parties when funding exceeds 200 000 euros, or the *Decision* signed by ADEME (no signature by recipient needed) and sent to the recipient when funding is below 200 000 euros. This is in line with the procedures specified in the general rules for awarding ADEME grants which were also provided by the authorities.

**Furthermore, in line with the description of the measure, aid for investments shall be allocated for the support of waste recycling, through an investment aid to local authorities or any institution open to the public, in order to modernise sorting centres (public and private ones) and deploy selective sorting installations in public areas.**

The 62 signed documents (Conventions or Decisions) provided show that the projects concern support of waste recycling and the modernisation of sorting centres in line with the requirements of the Council Implementing Decision.

Investments in the acquisition of equipment for the sorting, collection and valorisation of bio-waste and household waste and in the improvement of the treatment of infectious risk waste in hospitals described in the measure description is verified under milestone 2-13.

**Furthermore, in line with the description of the measure, this measure shall be implemented through calls for projects, or a financing window set up by ADEME (Agency for ecological transition).**

The summary document includes the links to the calls for projects on the ADEME website, respectively called "*Centres de tri, déchèteries professionnelles et installations de recyclage et valorisation des déchets*" and "*Aides pour les centres de tri et de préparation de déchets d'emballages ménagers pour valo matière et énergie*".

**Finally, in line with the description of the measure, investments shall be committed in 2021 and 2022 and shall be completed by the end of 2025.**

The 62 Conventions or Decisions granting the financial support were all signed in 2021, ensuring the commitment of funds.

The webpages with the calls for projects also specify the timetable for each call for project:

- From 1 January 2022 to 31 December 2022 for the call for projects "*Aides pour les centres de tri et de préparation de déchets d'emballages ménagers pour valo matière et énergie*" (link: <https://agirpoulatransition.ademe.fr/entreprises/aides-financieres/2022/aides-centres-tri-preparation-dechets-demballages-menagers-valo-matiere>)
- From 20 October 2021 to 14 January 2022 for the call for projects "*Centres de tri, déchèteries professionnelles et installations de recyclage et valorisation des déchets*" (link: <https://agirpoulatransition.ademe.fr/entreprises/aides-financieres/20211019/auradechet2022-6>)

These links were provided in the summary document which includes the links to the webpages of the calls for projects.

The completion of the investments by the end of 2025 will be verified under target 2-14.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 2-13</b>	Related Measure: C2.I7 Modernisation of sorting centres	
<b>Name of the Milestone:</b> Investment in waste sorting and collection, and in medical waste treatment		
<b>Qualitative Indicator:</b> Communication of the list of beneficiaries		<b>Time:</b> Q4 2022
<b>Context:</b> <p>The measure aims at tackling the challenges of sorting and recycling all types of waste, in particular household waste as well as hospital waste through:</p> <ul style="list-style-type: none"><li>• The support of waste recycling, through an investment aid to local authorities or any institution open to the public;</li><li>• The acquisition of equipment to speed-up the sorting at source, collection and valorisation of bio-waste and household waste while making sure that this shall not foster mechanical biological treatment plants;</li><li>• The improvement of the treatment of infectious risk waste in hospitals thanks to “trivialisers”.</li></ul> <p>Milestone 2-13 concerns the investment in waste sorting and collection and in medical waste treatment.</p> <p>More specifically, it concerns the finalisation of the call for proposals and support schemes and selection of recipients for the following schemes:</p> <ul style="list-style-type: none"><li>• to support investments in away-from-home (AFH) waste sorting and collecting waste;</li><li>• to support bio-waste sorting, collecting and recovering;</li><li>• to support investments for equipment for disinfecting infectious medical waste.</li></ul> <p>Milestone 2-13 is the second step of the implementation of the investment and follows the completion of target 2-12 related to the number of contracts signed for the modernization of sorting centres. It is followed by target 2-14 related to the number of sorting centres modernized. The investment shall be completed by end 2025 and this will be controlled by two additional targets set for Q4 2025.</p>		
<b>Evidence provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. A summary document duly justifying how the target was satisfactorily fulfilled.</li><li>ii. An Excel document extracted from the OPALE database, owned by the <i>Agence de l’Environnement et de la Maîtrise de l’Energie</i> (ADEME), listing the recipients for the three schemes, with a description of the project, including, where relevant, number of inhabitants to be served in communities that have benefitted from support for sorting biowaste, the location and the amount.</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>iii. The calls for projects subject of the measure.</li></ul>		

- iv. A PDF document outlining the eligibility and financing conditions of the measure issued by the ADEME.
- v. Extracts of the OPALE database owned by the *Agence de l'Environnement et de la Maîtrise de l'Energie* (ADEME) for 60 projects selected.

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.

**Finalisation of the call for proposals and support schemes and selection of recipients for the following schemes:**

- to support investments in away-from-home (AFH) waste sorting and collecting waste;
- to support bio-waste sorting, collecting and recovering;
- to support investments for equipment for disinfecting infectious medical waste.

The qualitative indicator for this milestone is the communication of the list of beneficiaries. France provided the list of recipients extracted from Opale, the official database owned by the ADEME which demonstrates that this requirement has been fulfilled. The list includes a total of 396 recipients for the three schemes. The lists of recipients include the name of the recipient, a short description of the project, and where relevant, the number of inhabitants to be served in communities that have benefitted from support for sorting biowaste and the location. Furthermore, France provided extract of the Opale database providing exemplary evidencing of the contractualisation of 60 projects.

**Furthermore, in line with the description of the measure, aid for investment shall be allocated to three types of investment. In addition, in line with the description of the measure, this measure shall be implemented through calls for projects or a financing window set up by ADEME (Agency for ecological transition).**

The French authorities provided the evidence demonstrating that for each type of investment, projects were selected through calls for projects:

- i. Investment aid to local authorities or any institution open to the public, in order to modernize sorting centres (public and private ones) and deploy selective sorting installations in public areas.

This is not linked to this milestone and is verified under target 2-12, subject to the same payment request.

- ii. The acquisition of equipment to speed-up the sorting at source, collection and valorisation of bio-waste and household waste (e.g. into renewable biogas or quality fertiliser) while making sure that this shall not foster mechanical biological treatment plants

The projects were selected through two calls, called "*Soutenir les investissements dans le tri et la collecte des déchets hors foyer*", "*Soutenir le tri, la collecte et la valorisation des biodéchets*". France provided a copy of the terms of reference of the calls.

- iii. The improvement of the treatment of infectious risk waste in hospitals thanks to "trivialisers".

The projects were selected through the call "*Soutenir les investissements en faveur d'équipements pour désinfecter les déchets médicaux infectieux*". France provided a copy of the terms of

reference of the call.

**Finally, in line with the description of the measure, investments shall be committed in 2021 and 2022 and shall be completed by the end of 2025.**

The summary document indicates that the call for projects were published in 2021. The Excel document indicates that the list of projects was selected in July 2022. The document outlining the eligibility and financing conditions of ADEME specifies that 'the deadline for acceptance of applications is 30 September 2022 to complete their appraisal and the commitment of ADEME support before the end of 2022' (see page 3).

As prescribed by the description of the measure, the completion of the investments by the end of 2025 will be verified under target 2-14.

**Commission Preliminary Assessment:** Satisfactorily fulfilled



<b>Number: 2-16</b>		Related Measure: C2.I9 Plant protein plan	
<b>Name of the Target:</b> Number of projects that shall receive fund from the “protein plan” in order to invest in protein plant production			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 1200	<b>Time:</b> Q1 2022
<b>Context:</b> <p>This measure aims to reduce the dependency of agriculture on inputs such as animal feed and nitrogen fertilisers. It provides investment support to agricultural holdings and downstream structures for reinforcing and fostering new agricultural supply chains dedicated to plant proteins.</p> <p>The measure shall provide investment support for:</p> <ul style="list-style-type: none"><li>• Equipment in protein-rich crop farms;</li><li>• The restructuring of the plant protein supply chain, including investments in plant protein collection and processing companies.</li></ul> <p>Target 2-16 concerns the number of projects that shall receive funds from the “protein plan” to invest in protein plant production, after the selection by the calls for projects.</p> <p>Target 2-16 is the only target for this investment; there are no milestones.</p>			
<b>Evidence Provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. Summary document duly justifying how the target was satisfactorily fulfilled.</li><li>ii. An Excel file with the list of recipients for the two schemes under the tabs ‘AAP’ (restructuring of the plant protein supply chain) and ‘<i>Agroéquipement PV</i>’ (agricultural equipment). This Excel includes the name of the recipient, the location, a brief description of the project, and the number of hectares concerned.</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>iii. FranceAgriMer Decision No.INTV-SANEI-2020-64 on the restructuring of the plant protein supply chain scheme; it is dated 19 November 2020. (FranceAgriMer is the French national body that deals with matters on agriculture and fishing, alongside the Ministry of Agriculture).</li><li>iv. FranceAgriMer Decision No.INTV-SANAEI-2020-75 on the agricultural equipment scheme; it is dated 15 December 2020.</li><li>v. The signed agreements between FranceAgriMer and the recipient, which confirm the allocation of funds, for the three projects under the restructuring of the plant protein supply chain scheme that were selected as part of the sample.</li><li>vi. The signed decisions (<i>décision d’octroi de l’aide</i>) issued by FranceAgriMer, which confirm the allocation of funds, for the 57 projects under the agricultural equipment scheme that were selected as part of the sample.</li></ul>			
<b>Analysis:</b> <p>The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.</p> <p><b>1 200 projects shall receive funds from the “protein plan” in order to invest in protein plant production, after the selection by the calls for projects.</b></p>			



The Excel file indicates that a total of 1 243 projects have benefitted from the investment under the two plant protein production schemes (see tab 'AAP' (restructuring of the plant protein supply chain) and tab 'Agroéquipements' (agricultural equipment) of evidence ii). The signed agreements or decisions (see evidence v and vi) for a sample of 60 units confirm that the funds were awarded by FranceAgriMer to the recipients, after their applications were submitted during the call for projects (see evidence iii and iv, which specify the nature of these calls). As a result, the target is met.

**Furthermore, in line with the description of the measure, it shall provide investment support for:**

- **Equipment in protein-rich crop farms**

The FranceAgriMer Decision No.INTV-SANAEI-2020-75 specifies that eligible investments under the agricultural equipment scheme are (see page five of evidence iv):

- Equipment for growing and harvesting protein-rich crops, for drying forage legumes, and for storing them on the farm;
- Seeds for enriching pastures with forage legumes.

The Annex to the Decision (see pages 10-12 of evidence iv) provides further information, with a list of specific eligible equipment (point I) and seeds (point II). Whilst seeds are not specifically mentioned in the Council Implementing Decision, they allow agricultural holdings to diversify and begin producing forage legumes, and to therefore reduce dependence on agricultural inputs such as animal feed and nitrogen fertilisers, in line with the overall aim of this measure.

The signed decisions (see evidence vi) indicate the specific type of equipment or seeds invested in for each project. 57 units, out of the total 60 sampled, were under the agricultural equipment scheme, and each investment is indeed in line with the eligible equipment and seeds specified in the Annex to the FranceAgriMer Decision.

In this regard, the signed decisions prove that the sampled units have been provided with the necessary (eligible) equipment and seeds for producing protein-rich crops, in line with the measure description in the Council Implementing Decision.

- **The restructuring of the plant protein supply chain**

The FranceAgriMer Decision No. INTV-SANAEI-2020-64 (see evidence iii) specifies the conditions that projects under the 'restructuring of the plant protein supply chain' scheme must comply with in order to be granted the investment aid.

Three projects, out of the total 60 sampled, were part of this scheme. Article 1 of the signed agreements for each of the three projects (see evidence v) specifies that for every project, the aid has been successfully granted to the recipient. As such, these projects comply with the requirements of the FranceAgriMer Decision and fall under the scope of the 'restructuring of the plant protein supply chain' scheme, in line with the description of the measure.

**Furthermore, in line with the description of the measure, the last financial commitments shall be made for at least 1 200 projects by 31 December 2022.**

The signed agreements or decisions, proving the allocation of funds, for all 60 recipients selected as part of the sample are dated before 31 December 2022.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 3-6	Related Measure: C3.I1 Support to railway		
<b>Name of the Target:</b> Switches			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 272	<b>Time:</b> Q1 2022
<b>Context:</b> <p>This measure aims at improving and modernising the railway network, in order to increase the use of railways as an alternative to road transport.</p> <p>The measure is split into two parts. The first part shall be undertaken by the national Agency responsible for investing in transport infrastructure (<i>Agence de financement des infrastructures de transport de France – hereinafter referred to as “AFITF”</i>). The second part shall be used to recapitalise the French national railway company SNCF. This part is divided into three sub-measures which target: the renovation of national railway infrastructure, the renovation of local railway infrastructure, and the improvement of the security and reliability of the railway network.</p> <p>Target 3-6 falls under the second part of this measure, and it concerns projects to regenerate switches, in particular.</p> <p>Target 3-6 is the second milestone or target of investment C3.I1. It follows the completion of milestone 3-5 related to the conclusion of the funding agreement(s) by AFITF. The other milestones and targets under this investment are: target 3-7 related to the installation of catenaries, target 3-8 related to regenerated railway lines, target 3-9 related to tunnels, milestone 3-10 related to the environmental treatment of railways, targets 3-11 and 3-13 related to local railways lines, and targets 3-12 and 3-14 related to renovated freight lines. The investment has a final expected date for completion in Q4 2025.</p> <p>In line with the description of the measure, the recapitalisation process of SNCF, which is not captured under any milestone or target in the measure, needs to outline how compliance with transparency requirements and State aid rules is ensured, with particular reference to accounting separation to avoid cross-subsidisation between economic and non-economic activities of SNCF Réseau. The French authorities have provided such an outline to the Commission. In accordance with recital 57 of the Council Implementing Decision, the Council Implementing Decision is without prejudice to the outcome of any procedures relating to distortions of the operation of the internal market that may be undertaken, in particular under Articles 107 and 108 of the Treaty.</p>			
<b>Evidence Provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. A summary document duly justifying how the target was satisfactorily fulfilled, in line with the requirements set out in the Council Implementing Decision Annex.</li><li>ii. An Excel file holding a list of the switches installed, including the date of installation (column E) and the location (column B).</li></ul> <p>In the context of the analysis, the French authorities also supplied further evidence, including:</p> <ul style="list-style-type: none"><li>iii. The report of completion of the work (<i>procès-verbal de réception des travaux</i>) for each project, signed by SNCF Réseau and the contractor, which specifies the date of the completion of works.</li><li>iv. Purchase orders (<i>bons de commande</i>) issued by SNCF Réseau.</li><li>v. Service orders (<i>ordres de service</i>) issued by SNCF Réseau.</li></ul>			

- vi. Screenshots from the internal system of SNCF Réseau (GEREMI) for each project, giving the project number, location, and the number of switches installed.
- vii. Signed internal document, issued by SNCF Réseau, which explains the use of the units of work (*unité d'oeuvre physique* - UOP) in the GEREMI database.
- viii. Internal document, issued by SNCF Réseau, which explains the approach to regenerating railway tracks and switches.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **272 new switches were installed (in total).**

The Excel file shows that a total of 301 switches was replaced across 57 projects. Every project was verified as part of the verification work, based on all the evidence provided. The number of switches stated in the Excel file was cross-checked with information from the internal system of SNCF Réseau (see evidence vi). The internal codes for the action of replacing a switch are: 'RAV' which stands for '*Renouvellement de l'appareil de voie*', 'SUP' which stands for '*Suppression de l'appareil de voie et remplacement par de la voie courante*', and 'RB' which stands for '*Renouvellement de ballast*'. These codes are both referred to in the documents (see evidence iv and v) and in SNCF Réseau's internal database, GEREMI (see evidence vi). A total of 19 switch operations across 11 projects were classified as 'RB'. To avoid any potential risk of double counting between 'RB' and 'RAV' operations, the 19 operations classified as 'RB' were not counted towards the fulfilment of the target. Therefore, 282 out of 301 operations were counted as valid switch replacement, thus representing an overachievement of the target.

#### **Furthermore, in line with the description of the measure, the investment deployed between 2021 and 2023 shall be divided into three measures.**

The investment was divided into three measures, as described in France's Recovery and Resilience Plan (see pages 208 to 209). The first measure aims at renovating the national railway network by means of heavy investment to replace tracks, crossing bars and ballast; investment shall also be made to replace switches, catenaries and signalisation signs. This measure concerns targets 3-6, 3-7 and 3-8; all the evidence provided for these targets confirms that this first measure was implemented. The second measure shall finance research and development and products and equipment to replace glyphosate weed killer by alternative products less harmful to the environment. Additionally, the measure shall finance the renovation of tunnels. This measure concerns target 3-9 and milestone 3-10; all the evidence provided confirms that this second measure was implemented. The third measure shall finance the complete renovation of local railway lines (such as tracks, rails, ballast and rail devices); it corresponds to targets 3-11 and 3-13, which concern future payment requests.

In all cases, the works for the projects under the sub-measure that this target represents started after 1 February 2020 (see evidence iii, iv and, v). For 15 out of these 57 projects, the works were completed in 2020, as specified by the date of completion (*date d'achèvement*) in the corresponding signed reports (see evidence iii). Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the fact that the projects were deployed, in some cases, in 2020 instead of 2021 does not impact the scope of the projects. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

#### **Furthermore, in line with the description of the measure, investment will be made to replace**

**signalisation signs.**

Whilst this element is not covered explicitly by any of the targets or milestones under measure C3.I1, it is mentioned in the measure description of the Council Implementing Decision. In line with this, the French authorities have therefore provided evidence to show that investment has been made into the replacement of signalisation signs. The purchase order and signed report specifying the date of the completion of works, both issued by SNCF Réseau (see evidence iii and iv), show that work on signalisation infrastructure was undertaken in the context of works to replace switches and regenerate railway lines; this is in line with the description of the regeneration of signalisation infrastructure, as detailed in France's Recovery and Resilience Plan (page 208).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 3-7		Related Measure: C3.I1 Support to railway	
<b>Name of the Target:</b> Catenaries			
<b>Quantitative Indicator:</b> Number		<b>Baseline:</b> 0	<b>Target:</b> 182
<b>Time:</b> Q1 2022			
<b>Context:</b> <p>This measure aims at improving and modernising the railway network, in order to increase the use of railways as an alternative to road transport.</p> <p>The measure is split into two parts. The first part shall be undertaken by the national Agency responsible for investing in transport infrastructure (<i>Agence de financement des infrastructures de transport de France – hereinafter referred to as “AFITF”</i>). The second part shall be used to recapitalise the French national railway company SNCF. This part is divided into three sub-measures which target: the renovation of national railway infrastructure, the renovation of local railway infrastructure, and the improvement of the security and reliability of the railway network.</p> <p>Target 3-7 falls under the second part of this measure, and it concerns projects to regenerate catenaries, in particular.</p> <p>Target 3-7 is the third milestone or target of investment C3.I1. It follows the completion of milestone 3-5 related to the conclusion of the funding agreement(s) by AFITF. The other milestones or targets under this investment are: target 3-6 related to the installation of switches, target 3-8 related to the regeneration of railway lines, target 3-9 related to the reinforcement of tunnels, milestone 3-10 related to the environmental treatment of railways, targets 3-11 and 3-13 related to the renovation of local railway lines, and targets 3-12 and 3-14 related to the renovation of freight lines. The investment has a final expected date for completion in Q4 2025.</p> <p>In line with the description of the measure, the recapitalisation process of SNCF, which is not captured under any milestone or target in the measure, needs to outline how compliance with transparency requirements and State aid rules is ensured, with particular reference to accounting separation to avoid cross-subsidisation between economic and non-economic activities of SNCF Réseau. The French authorities have provided such an outline to the Commission. In accordance with recital 57 of the Council Implementing Decision, the Council Implementing Decision is without prejudice to the outcome of any procedures relating to distortions of the operation of the internal market that may be undertaken, in particular under Articles 107 and 108 of the Treaty.</p>			
<b>Evidence Provided:</b>			

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A summary document duly justifying how the target was satisfactorily fulfilled.
- ii. An Excel file which includes a list of projects, and which specifies for each: the project identification code (for use in the GEREMI database) (column A), the railway line on which the project was carried out (columns B and C), the year it was carried out (column E), the number of linear kilometres of catenaries installed (column F, total in cell G10), and the number of *armements* and/or *supports* installed (column D).

The authorities also provided:

- iii. A note (*Annexe 2 - Mode opératoire*) prepared by SNCF Réseau, which explains how the list of projects was put together, and which provides more details on the specific types of renovation works under each target of this investment. The note is dated 4 November 2022.
- iv. The report (*procès-verbal*) for each project, signed between SNCF Réseau and the contractor, which specifies the date of the completion of works.
- v. The purchase order (*bon de commande*) for all projects.
- vi. The service orders (*ordre de service*) covering all projects.
- vii. A screenshot from the GEREMI database for each project, giving the project number, location, and the number of *supports* and/or *armements* installed.
- viii. An explanatory note (*PJ8. Note de synthèse*), prepared by SNCF Réseau, which gives an overview of this investment, including more technical details on the replacement of catenaries.
- ix. The *Cahier des Prescriptions Spéciales* (hereinafter referred to as “CPS”). This document, prepared by SNCF Réseau and signed by the contractors, defines the special conditions laid down by the contracting authority (SNCF Réseau) for the project on the regeneration of catenaries.

#### Analysis:

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **182 kilometres of new catenaries were installed (in total).**

The Excel file shows that a total of 233.9 kilometres of new catenaries was installed across seven projects. For the purpose of the assessment of the payment request, all seven projects have been verified, based on all the evidence submitted by the French authorities.

Each catenary is comprised of the *support* (supporting post) and the *armement* (the infrastructure which is connected to the *support* and allows the contact wire to be fixed to it). The projects to replace catenaries with new ones included either the complete replacement of both the *supports* and the corresponding *armements*, or the replacement of just the *armements* while retaining the existing *supports*; some projects included both. These clarifications are described in the summary document and the explanatory note (see evidence i and viii).

The number of *supports* and *armements* replaced per project is evidenced by the screenshots from the GEREMI database (SNCF Réseau’s tool for the operational management of investments) (see evidence vii). For each project, the numbers from these screenshots were checked against the numbers in the Excel file; for all projects the numbers corresponded.

The calculation of the linear kilometres of catenaries installed, given the number of *supports* and

*armements* replaced, is explained in the summary document and the explanatory note (see evidence i and viii). A metric of 50 metres on average between two *supports/armements* is used. This is illustrated in the *Cahier des Prescriptions Spéciales* (hereinafter referred to as “CPS”), where it is specified that one railway canton is on average 1200 metres, and is equivalent to 24 supports – this gives an average of 50 metres between *supports* (and/or *armements*) (see page 10 of evidence ix). Therefore for each project the number of *armements* replaced, as per the screenshots (we use the value for *armements* as they were always replaced, irrespective of whether the corresponding *support* was replaced), was multiplied by 50 metres, in order to verify the linear kilometres of catenaries installed; for all projects the numbers indeed corresponded to the linear kilometres given in the Excel, and therefore gave the total of 233.9 kilometres.

The reports, signed between SNCF Réseau and the contractors (see evidence iv), specify the date of the completion of works and the location where they were completed, therefore proving that each project was successfully carried out.

**Furthermore, in line with the description of the measure, the investment deployed between 2021 and 2023 shall be divided into three measures.**

The investment was divided into three measures, as described in France’s Recovery and Resilience Plan (see pages 208 to 209). The first measure aims at renovating the national railway network by means of heavy investment to replace tracks, crossing bars and ballast; investment shall also be made to replace switches, catenaries and signalisation signs. This measure concerns targets 3-6, 3-7 and 3-8; all the evidence provided for these targets confirms that this first measure was implemented. The second measure shall finance research and development and products and equipment to replace glyphosate weed killer by alternative products less harmful to the environment. Additionally, the measure shall finance the renovation of tunnels. This measure concerns target 3-9 and milestone 3-10; all the evidence provided confirms that this second measure was implemented. The third measure shall finance the complete renovation of local railway lines (such as tracks, rails, ballast and rail devices); it corresponds to targets 3-11 and 3-13 which concern future payment requests.

In the case of all seven projects under the sub-measure that this target represents, the works started after 1 February 2020. This is evidenced by the purchase orders and the service orders (see evidence v and vi), which fix the period in which the works must be carried out, in accordance with Article 14.4 of the CPS (see page 33 of evidence ix), commencing from the date fixed by the service orders, in accordance with Article 14.2 of the CPS (see page 32 of evidence ix). The start of the works follows a period of studies, which lasts in general 18 months; this period is also specified in the service orders. For two out of these seven projects the works were completed in 2020, as specified by the date of completion (*date d’achèvement*) in the corresponding signed reports (see evidence iv); one project (F50027) was finalised on 28 September 2020, and the other project (F50030) was finalised on 11 December 2020. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the fact that the projects were deployed, in some cases, in 2020 instead of 2021 does not impact the scope of the projects. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

**Number:** 3-8

Related Measure: C3.I1 Support to railway



Name of the Target: Regenerated railway lines			
Quantitative Indicator: Kilometres	Baseline: 0	Target: 863	Time: Q4 2022
<p><b>Context:</b></p> <p>This measure aims at improving and modernising the railway network, in order to increase the use of railways as an alternative to road transport.</p> <p>The measure is split into two parts. The first part shall be undertaken by the national Agency responsible for investing in transport infrastructure (<i>Agence de financement des infrastructures de transport de France – hereinafter referred to as “AFITF”</i>). The second part shall be used to recapitalise the French national railway company SNCF. This part is divided into three sub-measures which target: the renovation of national railway infrastructure, the renovation of local railway infrastructure, and the improvement of the security and reliability of the railway network.</p> <p>Target 3-8 falls under the second part of this measure, and it concerns the regeneration of railway lines. More specifically, investments to replace tracks, crossing bars and ballasts are concerned.</p> <p>Target 3-8 is the fourth target of the implementation of the investment. It follows the completion of milestone 3-5 related to the conclusion of funding agreement(s) by AFITF. The other milestones or targets are: target 3-6 related to the installation of switches, target 3-7 related to the installation of catenaries, target 3-9 related to the reinforcement of tunnels, milestone 3-10 related to the environmental treatment of railways, targets 3-11 and 3-13 related to the renovation of local railways lines, and targets 3-12 and 3-14 related to the renovation of freight lines. The investment has a final expected date for completion in Q4 2025.</p> <p>In line with the description of the measure, the recapitalisation process of SNCF, which is not captured under any milestone or target in the measure, needs to outline how compliance with transparency requirements and State aid rules is ensured, with particular reference to accounting separation to avoid cross-subsidisation between economic and non-economic activities of SNCF Réseau. The French authorities have provided such an outline to the Commission. In accordance with recital 57 of the Council Implementing Decision, the Council Implementing Decision is without prejudice to the outcome of any procedures relating to distortions of the operation of the internal market that may be undertaken, in particular under Articles 107 and 108 of the Treaty.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. A summary document duly justifying how the target was satisfactorily fulfilled.</li> <li>ii. An Excel file which includes a list of projects, and which specifies for each: the list of regenerated railway lines (columns B and E), a project identification code (column A) and the number of kilometers of regenerated railway lines (column F)</li> </ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"> <li>iii. A note (<i>Annexe 2 - Mode opératoire</i>) explaining how the list of projects was put together.</li> <li>iv. The report signed by SNCF Réseau (<i>procès-verbal</i>) for each project, specifying the date of the completion of works.</li> <li>v. The purchase order (<i>bon de commande</i>) and annexes for certain projects.</li> <li>vi. A screenshot from the GEREMI database for each project, giving the project number, its location, a description of the regeneration works and the number of kilometres of works (measured in “<i>unité d’oeuvre physique (UOP)</i>”)</li> </ul>			



- vii. An explanatory note (*PJ43. Note de synthèse*) issued by SNCF Réseau, explaining the works undertaken and the method for measuring kilometres of work.

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**863 kilometres of railway lines were regenerated.**

The Excel file shows that a total of 1 087.5 kilometres of railway lines were regenerated across 35 projects. For the purpose of the assessment of the payment request, all 35 projects have been verified, based on all the evidence submitted by the French authorities.

As explained in the summary document (see evidence i, page 1) and in the explanatory note shared by SNCF Réseau (see evidence vii, pages 6 to 11), regeneration works can be of different nature, and can encompass a complete renewal of the line and the ballast, the renewal of tracks only, the renewal of crossing bars, or the renewal of ballast only. Some projects included different regeneration works on different parts of the tracks such as projects F45481 and F45669 (ballast and crossing bars in both cases).

The number of kilometres per project is evidenced by the Excel file shared by SNCF Réseau (see evidence ii) and screenshots from the GEREMI database (SNCF Réseau's tool for the operational management of investments) (see evidence vi). The explanatory note (see evidence vii) demonstrates how the units of work (*unité d'oeuvre physique - UOP*) are summed to find the total amount of kilometres regenerated for each project. For each project, the numbers from the GEREMI database screenshots were cross-checked against the numbers in the Excel file; for all projects the numbers corresponded.

The reports signed by SNCF Réseau (see evidence iv), which specify the date of the completion of works, prove that each project was successfully completed. The location of projects was also indicated in the signed reports, and in case of lack of clarity of the report, a purchase order helped identify the exact location of works (see evidence v).

**Furthermore, in line with the description of the measure, the investment deployed between 2021 and 2023 shall be divided into three measures.**

The investment was divided into three measures, as described in France's Recovery and Resilience Plan (see pages 208 to 209). The first measure aims at renovating the national railway network by means of heavy investment to replace tracks, crossing bars and ballast; investment shall also be made to replace switches, catenaries and signalisation signs. This measure concerns targets 3-6, 3-7 and 3-8; all the evidence provided for these targets confirms that this first measure was implemented. The second measure shall finance research and development and products and equipment to replace glyphosate weed killer by alternative products less harmful to the environment. Additionally, the measure shall finance the renovation of tunnels. This measure concerns target 3-9 and milestone 3-10; all the evidence provided confirms that this second measure was implemented. The third measure shall finance the complete renovation of local railway lines (such as tracks, rails, ballast and rail devices); it corresponds to targets 3-11 and 3-13 which concern future payment requests.

In all cases, the works for the projects under the sub-measure that this target represents started after 1 February 2020, as evidenced by the reports (see evidence iv) and purchase orders (see evidence v) provided by SNCF Réseau. Five out of the 35 projects were completed in 2020 (F48616 in September, F46802 in October, F43765 and F50660 in November and F45706 in December), as

specified by the date of completion (*date d'achèvement*) in the corresponding reports (see evidence iv). Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the fact that the projects were deployed, in some cases, in 2020 instead of 2021 does not impact the scope of the projects. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 3-9</b>	Related Measure: C3.I1 Support to railway		
<b>Name of the Target: Tunnels</b>			
<b>Quantitative Indicator:</b> Meters	<b>Baseline:</b> 0	<b>Target:</b> 3305	<b>Time:</b> Q4 2022
<b>Context:</b> <p>This measure aims at improving and modernising the railway network, in order to increase the use of railways as an alternative to road transport.</p> <p>The measure is split into two parts. The first part shall be undertaken by the national Agency responsible for investing in transport infrastructure (<i>Agence de financement des infrastructures de transport de France – hereinafter referred to as “AFITF”</i>). The second part shall be used to recapitalise the French national railway company SNCF. It is divided into three sub-measures which target: the renovation of national railway infrastructure, the renovation of local railway infrastructure, and the improvement of the security and reliability of the railway network.</p> <p>Target 3-9 falls under the second part of this measure, and it concerns the reinforcement of tunnels, in particular.</p> <p>Target 3-9 is the fifth milestone or target of investment C3.I1. It follows the completion of milestone 3-5 related to the conclusion of the funding agreement(s) by AFITF. The other milestones or targets under this investment are: target 3-6 related to the installation of switches, target 3-7 related to the installation of catenaries, target 3-8 related to the regeneration of railway lines, milestone 3-10 related to the environmental treatment of railways, targets 3-11 and 3-13 related to the renovation of local railways lines, and targets 3-12 and 3-14 related to the renovation of freight lines. The investment has a final expected date for completion in Q4 2025.</p> <p>In line with the description of the measure, the recapitalisation process of SNCF, which is not captured under any milestone or target in the measure, needs to outline how compliance with transparency requirements and State aid rules is ensured, with particular reference to accounting separation to avoid cross-subsidisation between economic and non-economic activities of SNCF Réseau. The French authorities have provided such an outline to the Commission. In accordance with recital 57 of the Council Implementing Decision, the Council Implementing Decision is without prejudice to the outcome of any procedures relating to distortions of the operation of the internal market that may be undertaken, in particular under Articles 107 and 108 of the Treaty.</p>			
<b>Evidence Provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following</p>			

evidence was provided:

- i. A summary document duly justifying how the target was satisfactorily fulfilled.
- ii. An Excel file which includes a list of projects, and which specifies for each: the project identification code (column A), the location (columns B, C and E), the meters of tunnels reinforced (column F, total in cell F21), and a description of the works (column G).

The authorities also provided:

- iii. A note (*Annexe 2 - Mode opératoire*), prepared by SNCF Réseau, which explains how the list of projects was put together, and which provides more details on the specific types of renovation works under each target of this investment. The note is dated 4 November 2022.
- iv. The report (*procès-verbal*) for each project, signed between SNCF Réseau and the contractor, which specifies the date of the completion of works.
- v. The service orders (*ordre de service*) for four of the 14 projects.
- vi. A document detailing the specific requirements (*Cahier des prescriptions spéciales du marché*) for one of the projects.
- vii. A screenshot from the GEREMI database for each project, giving the project number, location, and the meters of tunnels reinforced.
- viii. An explanatory note (*PJ21. Note de synthèse*), prepared by SNCF Réseau, which gives an overview of this investment, including more technical details on the renovation of tunnels.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **3 305 meters of tunnels were reinforced (in total).**

The Excel file (see evidence ii) indicates that a total of 4 910.5 meters of tunnels was reinforced across 14 projects. For one of the projects (F47287), the evidence that the French authorities were able to provide was not sufficient to prove that the works started after 1 February 2020. As such, we do not take into account this project when assessing the satisfactory fulfilment of this target. According to the Excel file and GEREMI screenshot (see evidence ii and vii), project F47287 accounts for 462 meters of reinforced tunnels. As such, the 13 remaining eligible projects concern a total of 4 448.5, as per the Excel file.

The screenshots from the GEREMI database (SNCF Réseau's tool for the operational management of investments) (see evidence vii) indicate the total linear meters of tunnels reinforced per project. Therefore, for each of the 13 eligible projects, the numbers from the screenshots were cross-checked against the numbers in the Excel file; for each project the numbers corresponded, and gave the total of 4 448.5 meters.

The reports, signed between SNCF Réseau and the contractors (see evidence iv), specify the date of the completion of works and the location where they were completed, therefore proving that each project was successfully carried out.

Following this assessment of the evidence provided, the Commission has concluded that all 13 eligible projects have been successfully completed and that the total achieved number of meters of reinforced tunnels is 4 448.5, thus significantly overachieving the target of 3 305 meters.

**Furthermore, in line with the description of the measure, the investment deployed between**

**2021 and 2023 shall be divided into three measures.**

The investment was divided into three measures, as described in France's Recovery and Resilience Plan (see pages 208 to 209). The first measure aims at renovating the national railway network by means of heavy investment to replace tracks, crossing bars and ballast; investment shall also be made to replace switches, catenaries and signalisation signs. This measure concerns targets 3-6, 3-7 and 3-8; all the evidence provided for these targets confirms that this first measure was implemented. The second measure shall finance research and development and products and equipment to replace glyphosate weed killer by alternative products less harmful to the environment. Additionally, the measure shall finance the renovation of tunnels. This measure concerns target 3-9 and milestone 3-10; all the evidence provided confirms that this second measure was implemented. The third measure shall finance the complete renovation of local railway lines (such as tracks, rails, ballast and rail devices); it corresponds to targets 3-11 and 3-13 which concern future payment requests.

The works for the 13 eligible projects under the sub-measure that this target represents started after 1 February 2020. This is evidenced by the dates given in the signed reports, service orders, and the *Cahier des Prescriptions Spéciales du Marché* (see evidence iv, v, and vi). For three out of the 13 projects, the works were completed in 2020, as specified by the date of completion (*date d'achèvement*) in the signed reports (see evidence iv). Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the fact that the projects were deployed, in some cases, in 2020 instead of 2021 does not impact the scope of the projects. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 3-10</b>	Related Measure: C3.I1 Support to railway	
<b>Name of the Milestone: Environmental treatment of railways</b>		
<b>Qualitative Indicator: Information to be provided by SNCF Réseau</b>		<b>Time: Q4 2022</b>
<b>Context:</b> <p>This measure aims at improving and modernising the railway network, in order to increase the use of railways as an alternative to road transport.</p> <p>The measure is split into two parts. The first part shall be undertaken by the national Agency responsible for investing in transport infrastructure (<i>Agence de financement des infrastructures de transport de France – hereinafter referred to as “AFITF”</i>). The second part shall be used to recapitalise the French national railway company SNCF. This part is divided into three sub-measures which target: the renovation of national railway infrastructure, the renovation of local railway infrastructure, and the improvement of the security and reliability of the railway network.</p> <p>Milestone 3-10 falls under the second part of the measure. It concerns the environmental treatment of railways and in particular the replacement of the use of glyphosate as a means of killing weeds on the tracks.</p> <p>Milestone 3-10 is the sixth milestone or target of investment C3.I1. It follows the completion of milestone 3-5 related to the conclusion of the funding agreement(s) by AFITF. The other milestones or targets under this investment are: target 3-6 related to the installation of switches, target 3-7 related to the installation of catenaries, target 3-8 related to the regeneration of</p>		

railway lines, target 3-9 related to the reinforcement of tunnels, targets 3-11 and 3-13 related to the renovation of local railway lines, and targets 3-12 and 3-14 related to the renovation of freight lines. The investment has a final expected date for completion in Q4 2025.

In line with the description of the measure, the recapitalisation process of SNCF, which is not captured under any milestone or target in the measure, needs to outline how compliance with transparency requirements and State aid rules is ensured, with particular reference to accounting separation to avoid cross-subsidisation between economic and non-economic activities of SNCF Réseau. The French authorities have provided such an outline to the Commission. In accordance with recital 57 of the Council Implementing Decision, the Council Implementing Decision is without prejudice to the outcome of any procedures relating to distortions of the operation of the internal market that may be undertaken, in particular under Articles 107 and 108 of the Treaty.

**Evidence provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A summary document duly justifying how the milestone was satisfactorily fulfilled.
- ii. An Excel file with a list of the different investments, categorised under ‘research and development’, ‘products’, or ‘equipment’.
- iii. An explanatory note (*sortie du glyphosate*) specifying research and development investments undertaken by SNCF Réseau to find alternatives to glyphosate that are less harmful to the environment.

The authorities also provided:

- iv. A letter, from SNCF Réseau to the French Agency for Food, Environmental and Occupational Health & Safety (*Agence Nationale de Sécurité Sanitaire de l'alimentation, de l'environnement et du travail – hereinafter referred to as "ANSES"*), asking for approval to use products containing pelargonic acid for the treatment of railways.
- v. The approval decisions and evaluations from ANSES to use products containing pelargonic acid for the treatment of railways.
- vi. Framework contracts between SNCF Réseau and distributors for the supply of products containing pelargonic acid.
- vii. Invoices for the purchase of the products containing pelargonic acid.
- viii. Invoices for the purchase of new trains for pelargonic acid treatment.
- ix. Discharge certificate of products containing glyphosate to ADIVALOR, an association responsible for collecting and recycling agricultural waste (including weed killing products).
- x. Contracts for products experimentation with NATURA'LIS, a company selling seeds and seeding services, and SANODEV, a company producing machines for weed killing with electromagnetic waves.
- xi. Research partnership agreement between SNCF Réseau, the *Institut National de Recherche pour l'Agriculture, l'Alimentation et l'Environnement* (INRAE), and the *Université Clermont Auvergne* (UCA), as well as bills for research service.
- xii. Two signed approvals from SNCF Réseau for pilot projects for the installation of geotextiles under the railway tracks.

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.

**Replacement of the use of glyphosate by a more environmentally friendly alternative.**

The summary document and explanatory note (see evidence i, page 2, and iii, page 11), provided by SNCF Réseau, describe how SNCF Réseau no longer uses glyphosate for the treatment of its railways as of end 2022. The discontinuation of the use of glyphosate by end 2022 is evidenced by the liquidation of stocks of glyphosate products; the discharge certificates show that 23 570 kg of glyphosate products were removed from use and collected by ADIVALOR (see evidence ix). SNCF Réseau provided evidence of the purchase of alternative products for weed killing which contain pelargonic acid (see evidence vi and vii), and evidence of the purchase of nine new trains which are used to disperse the weed killing product on the railway tracks (*trains désherbeurs*) (see evidence viii).

As described above, the use of glyphosate has been replaced by the use of products containing pelargonic acid, applied to the railway tracks by modernised trains (*trains désherbeurs*). As evidenced by the approval decisions from the French Agency for Food, Environmental and Occupational Health & Safety (*Agence Nationale de Sécurité Sanitaire de l'alimentation, de l'environnement et du travail* – hereinafter referred to as “ANSES”) (see evidence v), the three products containing pelargonic acid (Katoun gold, Vegold and Kalipe) used by SNCF Réseau are approved by ANSES for the treatment of weeds on railways. The newly purchased trains (see evidence iii, pages 8-9 in particular, and evidence viii) are equipped with new technologies, including cameras and GPS technology, allowing them to spray the weed killing product in a more targeted way, only where invasive vegetation is observed, rather than on the entire railway, therefore avoiding spraying on “non treatment zones” related to surface and underground water areas.

**Furthermore, in line with the description of the measure, SNCF shall finance research and development and products and equipment to replace glyphosate.**

The explanatory note presents the holistic approach taken by SNCF Réseau to replace glyphosate for weed control on its railways, via research and development, as well as products and equipment (see evidence iii, pages 10 and 11). In addition to the investment in products and equipment mentioned in the previous section, SNCF Réseau reported on three major research and development investments. Firstly, the process of voluntary seeding is being experimented, as evidenced by their experimentation contract with NATURA'LIS (see evidence ix, in particular pages 3 to 8). Secondly, SNCF Réseau has invested in the development of weed control using electromagnetic waves through a feasibility study, currently being prepared by the French National Research Institute for Agriculture, Food, and the Environment (*Institut National de Recherche pour l'Agriculture, l'Alimentation et l'Environnement* - INRAE) and the University of Clermont Auvergne (*Université Clermont Auvergne* - UCA) (see evidence xi). This approach is in the process of being tested, as evidenced by the experimentation contract between SNCF Réseau and SANODEV (see evidence x). The third major research project underlined by SNCF Réseau in the explanatory note (see evidence iii, page 9), and evidenced by pilot projects, is the use of geotextiles under the railway tracks to prevent weed growth, as an alternative to using chemical products to remove them (see page 8 of F48336 and annex I of F50080 in evidence xii).

The evidence provided by SNCF Réseau shows that research efforts to stop using pesticides for weed control altogether are ongoing; the electromagnetic waves project is in its testing phase, (see evidence x). The long-term impact of such investments is by definition uncertain; however, it underscores the ongoing efforts of SNCF Réseau to find lasting alternatives to chemical weed killing.

**Furthermore, in line with the description of the measure, the investment deployed between 2021 and 2023 shall be divided into three measures.**



The investment was divided into three measures, as described in France's Recovery and Resilience Plan (see pages 208 to 209). The first measure aims at renovating the national railway network by means of heavy investment to replace tracks, crossing bars and ballast; investment shall also be made to replace switches, catenaries and signalisation signs. This measure concerns targets 3-6, 3-7 and 3-8; all the evidence provided for these targets confirms that this first measure was implemented. The second measure shall finance research and development and products and equipment to replace glyphosate weed killer by alternative products less harmful to the environment. Additionally, the measure shall finance the renovation of tunnels. This measure concerns target 3-9 and milestone 3-10; all the evidence provided confirms that this second measure was implemented. The third measure shall finance the complete renovation of local railway lines (such as tracks, rails, ballast and rail devices); it corresponds to targets 3-11 and 3-13 which concern future payment requests.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 3-16	Related Measure: C3.I2 Support to demand for clean vehicles (automobile plan)		
<b>Name of the Target:</b> Ecological bonuses			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 127 000	<b>Time:</b> Q1 2022
<b>Context:</b> <p>The measure aims to support the demand for clean vehicles, mainly from households. The measure includes an “ecological bonus” for light vehicles to support the purchase of an electric, hydrogen or plug-in hybrid vehicle with CO2 emissions less than or equal to 50 g/km. The amount of the bonus shall depend on the type of vehicle (electric, plug-in hybrid, hydrogen), the type of beneficiary (household or business) and the price of the vehicle (higher bonus for cheaper cars).</p> <p>Target 3-16 concerns the number of ecological bonuses granted for light vehicles in 2021.</p> <p>Target 3-16 is the second and last target of the investment C3.I2, and it follows the completion of target 3-15, related to the ecological bonuses granted since June 2020. The investment has a final expected date for implementation in Q1 2022.</p> <p>Since the completion of target 3-15, the French authorities have informed the Commission of various ex post control work that they have undertaken. This is in addition to the ex-post control work that the Commission itself has undertaken. The French authorities’ own ex-post control work, covering a population of ecological bonuses under both target 3-15 and put forward as evidence for target 3-16, identified several errors related to issues concerning protection of the financial interest of the Union.</p>			
<b>Evidence Provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled, with appropriate links to the underlying evidence.</li><li>ii. List of 263 251 bonuses for light vehicles granted between January and December 2021, as stated in the target definition of the Council Implementing Decision. It contains the vehicle category (electric, plug-in hybrid, hydrogen), as mentioned in the Operational Arrangements.</li></ul>			



The authorities also provided:

- iii. In the context of the sampling analysis, supporting documents for the list of 60 samples for verification of the granting of the ecobonus in 2021, including invoices, lease contracts, car registration, the grant request, grant notifications in case of individuals and screenshots of the IT system used by the implementing body Service and Payments Agency (ASP), the operator of the measure.
- iv. Copy of Decree No.2020-1526 of 7 December 2020 on aid for the acquisition or rental of low emission vehicles, published in the Official Journal No.0296 of 8 December 2020.
- v. Copy of Decree No.2020-656 of 30 May 2020 on aid for the acquisition or rental of low emission vehicles, published in the Official Journal No.0132 of 31 May 2020.

**Analysis:**

The justification and substantiating evidence provided by the French authorities cover all constitutive elements of the target.

**The French authorities reported that the ecological bonus has helped to support the development of electrified vehicles in the French car fleet.**

In December 2021, electric vehicles accounted for 14.5% of registered vehicles and plug-in hybrid vehicles 9.4%, compared to 5.9% and 2.6% respectively in June 2020 before the launch of the recovery plan. Target 3-16 in the second payment request is similar to target 3-15 of the first payment request. Target 3-15 concerned ecobonuses since June 2020, while T3-16 concerns ecobonuses granted in 2021. Therefore, the analysis that was performed for the satisfactory fulfilment of T3-15 has been repeated for T3-16 (see sampling section below for more detail).

**Furthermore, in line with the description of the measure, the level of the bonus shall gradually decrease from July 2021 as the competitiveness of these vehicles increases compared to their thermal alternatives.**

The Decree No.2020-1526 of 7 December 2020 includes the new scales of the ecological bonus that entered into force on 1 July 2021. According to Article 2 of this Decree, the amounts of the ecological bonus for the acquisition of a new vehicle has been reduced by EUR 1 000 for each of the categories.

**The target requires 127 000 ecological bonuses to be granted for light vehicles in 2021.**

The French authorities provided a list of 263 251 ecological bonuses as justification for meeting this target. At the same time, the French authority's own control system identified an error rate of 32,26% related to issues concerning protection of the financial interest of the Union.

**The evidence provided for a sample of 60 units confirmed the accuracy of the list of 263 251 ecological bonuses.**

The documentation concerning the 60 sampled bonuses was assessed and considered valid when the bonus was mentioned on the car purchase invoice or on another official document (invoices, lease contracts, car registration, the grant request and grant notifications in case of individuals and screenshots of the IT system used by the implementing body; Service and Payments Agency (ASP, the operator of the measure). The ecobonus for households is higher for electric cars (EUR 7 000) than for plug-in hybrids (EUR 2 000) and for electric cars its higher for households (EUR 7 000) than for businesses (EUR 5 000). In addition, for more expensive cars between EUR 45 000 and EUR 60 000 the ecobonus is lower (EUR 3 000) (see Energy code, Article D251-7). The sampling assessment verified whether the target criteria of the Council Implementing Decision were complied with: 1) ecological bonuses granted in 2021; 2) light vehicles; and 3) purchase of an electric, hydrogen or plug-in hybrid vehicle with CO<sub>2</sub> emissions less than or equal to 50 g/km. This

was the case for the 60 sampling units selected. The list of bonuses granted did not include vehicles with the energy source hydrogen.

The Commission considers 45 700 out of the 263 251 ecological bonuses granted as proof that target 3-15 is still satisfactory fulfilled, with this France took the necessary measures to ensure that the target is not reversed.

On the basis of the remaining number of 217 551 ecological bonuses, against a target of 127 000, the target is considered as satisfactorily fulfilled. For completeness, it is noted that even if the 32,26% error rate that the French authorities identified through their ex-post controls for the ecobonuses paid in 2021 to car dealers was to be applied to this population, this would result in 154 242 ecological bonuses and the target would still be considered as satisfactorily fulfilled. Similarly, the target would still be met even if the error rate mentioned above was to be applied to the entire population initially submitted under target 3-16, including those ecological bonuses considered for the satisfactory fulfilment of target 3-15.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

Number: 4-3	Related Measure: C4.I1 Innovate for the green transition	
Name of the Milestone: Launch of calls for proposals or calls for interest		
Qualitative Indicator: Publication on the 'Secrétariat Général pour l'Investissement' (SGPI)'s website		Time: Q4 2022
<p><b>Context:</b></p> <p>The objective of investment C4.I1 is to accelerate investment in advanced technologies for the green transition as part of the fourth future-oriented investment programme (<i>Programme d'investissements d'avenir</i> - PIA4). This investment finances innovation projects, building on seven 'acceleration strategies' for the green transition, developed under the '<i>volet dirigé</i>' of the PIA4. These 'acceleration strategies' are the following: i) decarbonised hydrogen; ii) decarbonisation of industry; iii) sustainable agricultural systems; iv) recycling and reincorporation of recycled materials; v) sustainable cities and innovative buildings; vi) digitalisation and decarbonisation of mobility; vii) biobased Products and Industrial Biotechnologies.</p> <p>Milestone 4-3 'Launch of calls for proposals or calls for interest' requires the publication of all the calls under measure C4.I1 'Innovate for the green transition' related to the strategies adopted under target 4-2 "Number of 'acceleration strategies' validated".</p> <p>Milestone 4-3 is the second step of the implementation of the investment and is preceded by the completion of target 4-2 related to the number of 'acceleration strategies' validated and will be followed by milestone 4-4 related to awarding the contracts implementing the decision of the Prime Minister. Together with the award of contracts, milestone 4-4 will verify the exclusion of (i) activities related to fossil fuels, including downstream use; (ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; (iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and (iv) activities where the long-term disposal of waste may cause harm to the environment. The investment has a final expected date for implementation in Q4 2023. Investment C4.I1 is implemented together with investment C4.I2 concerning IPCEIs on hydrogen which are constructed within the framework of the hydrogen strategy.</p>		
Evidence provided:		

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A Summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.
- ii. Copy of the terms of reference for each of the 17 calls
  - a. 'Développement de briques technologiques et démonstrateurs - Réalisations de premières industrielles associant l'offre et la demande (DEMIBaC)'
  - b. 'Développement de briques technologiques et services pour la décarbonation de l'industrie (IBaC PME)'
  - c. 'Favoriser le développement de Zones Industrielles Bas Carbone (ZIBaC)'
  - d. 'Digitalisation et décarbonation du transport ferroviaire'
  - e. 'Appel à Projets logistiques 4.0'
  - f. 'Briques technologiques et démonstrateurs hydrogène'
  - g. 'Développement d'une filière de production française de carburants aéronautiques durables'
  - h. 'Produits biosourcés et biotechnologies industrielles'
  - i. 'Solutions innovantes pour l'amélioration de la recyclabilité, le recyclage et la réincorporation des matériaux'
  - j. 'Innover pour réussir la transition agroécologique'
  - k. 'Démonstrateurs territoriaux des transitions agricoles et alimentaires'
  - l. 'Financement des préséries d'innovations technologiques liées aux équipements agricoles'
  - m. 'Industrialisation de produits et systèmes constructifs bois et autres biosources'
  - n. 'Territoires intelligents et durables'
  - o. 'Mixité pour la construction bas carbone'
  - p. 'Soutien à l'innovation dans la construction matériaux bois, biosourcés et géosourcés (SIC)'
  - q. 'Soutien à l'innovation dans les systèmes énergétiques et traitement de l'air du bâtiment (SEPAC)'.
- iii. An explanatory Excel file with the list of calls launched including:
  - a. the title of the calls for proposals or interest (column E) corresponding to the strategies adopted under target 4-2 (column C);
  - b. link to the publication website for each call (column F);
  - c. status (open/closed/ongoing) of the calls (column H)
  - d. links to the decrees relative to the approval of the terms of reference in the Official Journal (column G).

The authorities also provided:

- iv. Copy of the impact grid to be filled in by the operators, also accessible together with the terms of reference as part of the application form on the publication website of the Green Transition Agency ('ADEME') for each call with the exception of the call 'Démonstrateurs territoriaux des transitions agricoles et alimentaires'
- v. Copy of the application form for the call '*Démonstrateurs territoriaux des transitions agricoles et alimentaires.*'
- vi. Copy of the three annexes to the application form to be completed by the operators for the call '*Démonstrateurs territoriaux des transitions agricoles et alimentaires*' including 1) the project summary note, 2) partner identification and 3) financial data.
- vii. The selection grid used by evaluators for call '*Démonstrateurs territoriaux des transitions agricoles et alimentaires*' under the acceleration strategy Sustainable agricultural systems.

- viii. Copy of the assessment report of the Surveillance Committee for Future-oriented Investments (*Comite de surveillance des investissements d'avenir*, CSIA) of 2023.
- ix. Copy of the publication of Decree No.2013-1211 of 23 December relating to the assessment procedure of public investments, as published in the Official Journal of the French Republic on 26 December 2013 (JOFR No.0299).
- x. Copy of Article 8 of Law No.2010-237 amending finances for 2010 of 9 March 2010, modified by Law No.2021-1900 of 31 December 2021, as published in the Official Journal of the French Republic on 10 March 2010 (JOFR No. 0058).
- xi. Copy of an example *ex-ante* counter expertise on a large project under the PIA (project Haute Performance Paris Vintimille, HPMV).

#### Analysis:

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.

#### All calls for proposals or interest under this measure for the strategies adopted under target 4-2 launched.

As detailed below, one or several calls for projects or calls for interest have been launched for each of the seven strategies under milestone 4-2 under the scope of this measure for a total of 17 calls. The launch of the calls is demonstrated through the terms of reference for each call. The calls correspond to the following strategies:

- **Decarbonised hydrogen:** one call on hydrogen technological building blocks and demonstrators '*Briques technologiques et démonstrateurs hydrogène*' was launched on 3 May 2023 (see the terms of reference in evidence ii.f.)
- **Decarbonisation of industry:** three calls were launched, one call on development of technological building blocks and demonstrators - Industrial firms combining supply and demand '*Développement de briques technologiques et démonstrateurs - Réalisations de premières industrielles associant l'offre et la demande (DEMIBaC)*' closed on 16 October 2023 (see the terms of reference in evidence ii.a.); one call on developing technological building blocks and services to decarbonise industry '*Développement de briques technologiques et services pour la décarbonation de l'industrie (IBaC PME)*' closed on 16 October 2023 (see the terms of reference in evidence ii.b); and one call on encouraging the development of Low Carbon Industrial Zones '*Favoriser le développement de Zones Industrielles Bas Carbone (ZIBaC)*' closed on 15 May 2023 (see the terms of reference in evidence ii.c.)
- **Recycling and reincorporation of recycled materials:** one call was launched on innovative solutions for improving the recyclability, recycling and reincorporation of materials '*Solutions innovantes pour l'amélioration de la recyclabilité, le recyclage et la réincorporation des matériaux*' and closed on 26 July 2020 (see the terms of reference in evidence ii.i.)
- **Sustainable agricultural systems:** three calls were launched, one call on innovating for a successful agro-ecological transition '*Innover pour réussir la transition agroécologique*' closed on 16 June 2022 (see the terms of reference in evidence ii.j.); one call on territorial demonstrators of agricultural and food transitions '*Démonstrateurs territoriaux des transitions agricoles et alimentaires*' closed on 28 September 2023 (see the terms of reference in evidence ii.k); one call on funding for pre-production of technological innovations relating to agricultural equipment '*Financement des préséries d'innovations technologiques liées aux équipements agricoles*' closed on 26 September 2023 (see the terms of reference in evidence ii.l)
- **Sustainable cities and innovative building:** four calls were launched, one call on

Industrialisation of wood and other bio-based construction products and systems '*Industrialisation de produits et systèmes constructifs bois et autres biosources*' closed on 15 May 2023 (see the terms of reference in evidence ii.m); one call on intelligent and sustainable territories '*territoires intelligents et durables*' closed on 7 November 2022 (see page 20 of the terms of reference in evidence ii.n); one call on mixed-use for low-carbon construction '*Mixité pour la construction bas carbone*' closed on 14 October 2022 (see the terms of reference in evidence ii.o); one call on support for innovation in construction using wood, bio-sourced and geosourced materials '*Soutien à l'innovation dans la construction matériaux bois, biosourcés et géosourcés (SIC)*' closed on 30 March 2023 (see the terms of reference in evidence ii.p); and one call on support for innovation in energy systems and air treatment in buildings '*Soutien à l'innovation dans les systèmes énergétiques et traitement de l'air du bâtiment (SEPAC)*' closed on 14 October 2022 (see the terms of reference in evidence ii.q)

- **Digitisation and decarbonisation of mobility:** two calls were launched, one call on digitalisation and decarbonisation of rail transport '*Digitalisation et décarbonation du transport ferroviaire*' closed on 24 September 2021 (see the terms of reference in evidence ii.d); and one call for Logistics Projects 4.0 '*Appel à Projets logistiques 4.0*' closed on 15 June 2022 (see the terms of reference in evidence ii.e)
- **Biosourced products and industrial biotechnologies:** two calls were launched, one call on developing a French production base for sustainable aviation fuels '*Développement d'une filière de production française de carburants aéronautiques durables*' closed on 29 September 2022 (see the terms of reference in evidence ii.g); and one call on biobased products and industrial biotechnologies '*Produits biosourcés et biotechnologies industrielles*' launched on 14 January 2022 (see the terms of reference in evidence ii.h)

In addition, the French authorities provided the links to the publication of the calls on the publicly available website of the Green Transition Agency ('ADEME') (see evidence iii.b.). For four calls, they were not on the ADEME's website but on the publicly available websites of 'Bpifrance', 'Banque des territoires' and 'Caisse des dépôts et consignations' (see evidence iii.b). The information provided online concerning each call (including dates and titles) matched the terms of reference. Furthermore, the French authorities provided the link to the publicly available Decrees relative to the approval of the terms of reference in the Official Journal. On the first page of each Decree on the website '*legifrance*' a footnote was included specifying where the terms of reference can be consulted while they are open, which also included the SGPI's website (see evidence ii.d). As detailed above, the terms of reference of the 17 calls as well as the publication of the calls on the publicly available website indicated that 13 calls were closed prior to the submission of the second payment request, two were closed during the assessment of the second payments request by the Commission and two had been launched by the submission of the second payment request, therefore demonstrating that all the calls had been launched prior to this assessment. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

Furthermore, in line with the description of the measure, the 'acceleration strategy' decarbonised hydrogen leads to operational actions, (i) a call for projects on '*Briques technologiques et démonstrateurs*', which aims to develop or improve components and systems related to the production, transport and use of hydrogen, and to support demonstration projects, and (ii) the construction of IPCEIs on hydrogen (cf. Investment 2), to which the PIA4 framework contributes. The French authorities provided the terms of reference of the call '*Briques technologiques et démonstrateurs hydrogene*' which was publicly available on the website of the ADEME. The terms of reference identify the objective of this call as 'Supporting innovation, developing or improving components and systems linked to the production and transport of hydrogen, and to its uses such as industrial, transport or energy supply applications; Supporting projects for prototypes, pilots or

commercial ‘firsts’ in France, enabling the industry to develop new solutions and structure itself’, thus covering action i) (see page 3 of evidence ii.f). Operational action ii) the construction of IPCEIs on hydrogen concerns investment 2 of component 4 and the assessment can be found under milestone 4-8 of measure C4.I2 Develop decarbonised hydrogen.

**Furthermore, in line with the description of the measure, the terms of reference for upcoming calls for projects will include as an eligibility criterion to ensure the environmental neutrality of the applications of the funded solution, in a way that ensures that the measure complies with the ‘do no significant harm’ principle of Regulation (EU) 2021/241.**

The terms of reference of the six calls for project or interest launched after the adoption of the Council Implementing Decision each contain explicit reference to the DNSH principle. For these calls the eligibility criterion is addressed as follows:

- The terms of reference for the call under the **Decarbonisation of hydrogen** strategy includes the DNSH – Do No Significant Harm principle *‘ne pas causer un préjudice important du point de vue de l’environnement’* as an eligibility criterion under ‘respect for environmental criteria’, containing explicit reference to the DNSH principle and European taxonomy regulation ‘Projects causing significant harm to the environment will be excluded (application of the DNSH - Do No significant Harm - principle) within the meaning of Article 17 of the European Taxonomy Regulation [...]’ (see page 5 of evidence ii.f.). This is further developed in a dedicated annex ‘Environmental performance criteria’ (see page 21 of evidence ii.f.)
- The terms of reference for the calls under the **Decarbonisation of industry** strategy all include the DNSH – Do No Significant Harm principle *‘ne pas causer un préjudice important du point de vue de l’environnement’* as an eligibility criterion, containing explicit reference to the DNSH principle and European regulation “Projects causing significant harm to the environment will be excluded (application of the DNSH - Do No significant Harm - principle) within the meaning of Article 17 of the European Taxonomy Regulation [...]” which is further developed in a dedicated annex for two out of three calls (see page 9 and 20 of evidence ii.a; page 6 and 12 of evidence ii.b; page 10 of evidence ii.c).
- The terms of reference for the call under the **Recycling and reincorporation of recycled materials** strategy include as an eligibility criterion the exclusion of projects which cause significant harm to the environment (see page 10 of evidence ii.i) further explaining this criterion in the annex containing explicit reference to compliance with the DNSH principle and the European taxonomy regulation “Projects causing significant harm to the environment will be excluded (application of the DNSH - Do No significant Harm - principle) within the meaning of Article 17 of the European Taxonomy Regulation [...]” (see page 37 of evidence ii.i).
- The terms of reference for two of the calls under the **Sustainable agricultural systems** strategy include as an eligibility criterion the exclusion of projects which cause significant harm to the environment. This is further developed in an annex containing explicit reference to DNSH and European taxonomy (see page 9 and 15 of evidence ii.j; page 8-9 and 12 of evidence ii.l). The third call for interest contains in its objectives of the call and the description of the types of projects the explicit reference to the exclusion of projects which cause significant harm to the environment *“Les projets causant un préjudice important du point de vue de l’environnement seront exclus (application du principe DNSH – Do No Significant Harm ou « absence de préjudice important »)”* (see page 10 of evidence ii.k). The terms of reference also refer to the selection procedure outlined in the application form.



The application form specifically states the automatic exclusion of any projects causing harm to the environment as per the DNSH principle under the environmental criteria sub-section (see page 6 of evidence vi).

- Four out of five of the terms of reference for the calls under the **Sustainable cities and innovative building** strategy include as an eligibility criterion the exclusion of projects which cause significant harm to the environment. This is further developed in an annex containing explicit reference to DNSH and European taxonomy (see page 21 and 29 of evidence ii.n; page 10 and 18 of evidence ii.o; page 13 et 21 of evidence ii.p; page 9-10 and 20 of evidence ii.q). The fifth terms of reference contain specific language excluding projects which cause significant harm to the environment under the description and dedicated annex for the Environmental performance criteria (see page 24 of evidence ii.m).
- The terms of reference for the call under the **Digitisation and decarbonisation of mobility** strategy all include as an eligibility criterion the exclusion of projects which cause significant harm to the environment. This is further developed in an Annex containing explicit reference to DNSH and European taxonomy (see page 12 and 19 of evidence ii.d; page 14 and 24 of evidence ii.e).
- The terms of reference for the call under the **Biosourced products and industrial biotechnologies** strategy all include as an eligibility criterion the exclusion of projects which cause significant harm to the environment. This is further developed in an annex containing explicit reference to the DNSH principle and European taxonomy (see page 9 and 20 of evidence ii.g; page 12 and 27 of evidence ii.h).

In addition, as part of the application form of the calls, the operators provide an assessment of the environmental impact of the projects. As detailed in the first sheet of the environmental impact grids used to assess the environmental impact of the projects, the concept of 'environmental neutrality' is a translation of the DNSH principle, and a 'negative' impact equates to causing significant harm to the environment within the meaning of the EU taxonomy on the concept of Do Not Significant Harm (DNSH) (see evidence iv). Therefore, in order to abide by the eligibility criterion in the terms of reference and respect the DNSH principle all the projects must either be environmentally 'neutral' or 'positive'. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

**Furthermore, in line with the description of the measure, this will complement the fact that, whenever applicable, environmental criteria are part of the selection criteria for projects, and that operators are required to produce a critical analysis of their proposals based on internal and external expertise.**

All the calls launched after the Council Implementing Decision under the acceleration strategies require the operators to provide an assessment of the environmental impact of the project. With exception of one call, this entails the submission of an impact grid by the operator, providing information on the environmental impact of the project including, among others, specific indicators (*les émissions de GES / kWh consommés ou produits / émissions de polluants / quantités de ressources / quantité de déchets*) and identifying any harm within the meaning of the EU taxonomy on the concept of DNSH, Do No Significant Harm. These impact grids are used as part of the selection of the projects (see page 11 and 20 of evidence ii.a; page 7, 8 and 12 of evidence ii.b; page 10 and 15 of evidence ii.c; page 10 and 14 of evidence ii.i; page 10 of evidence ii.j; page 17, 18, 19 of evidence ii.k; page 10 of evidence ii.l; 17, 22, 23 and 27 of evidence ii.n; page 13 of evidence ii.m; page 12 of evidence ii.o; page 15 and 16 of evidence ii.p; page 13 of evidence ii.q; page 13 of evidence ii.d; page 18 of evidence ii.e; see page 11, 12 and 21 of evidence ii.f; page 13 and 20 of



evidence ii.g; page 17 and 27 of evidence ii.h). For the call '*Démonstrateurs territoriaux des transitions agricoles et alimentaires*' the environmental analysis is part of the 10 to 25-page project description and Annexes required of the operator on the basis of which the projects are selected. Environmental criteria clearly being part of the selection criteria are described in the application form (see page 4 to 6 of evidence vi and see evidence v). In addition, the 2023 assessment report of the Surveillance Committee for Future-oriented Investments (*Comité de surveillance des investissements d'avenir*, CSIA) outlined the PIA's assessment procedure, detailing that the *ex-ante* assessment of projects is based on the aforementioned environmental impact grid, which includes six axes (see page 87 of evidence vi):

- i. combating climate change (production of renewable energy, energy efficiency, climate through the reduction of greenhouse gases);
- ii. adaptation to climate change and resilience in the face of environmental risks;
- iii. combating pollution (air, water);
- iv. management of water and marine resources;
- v. transition to a circular economy;
- vi. protecting and restoring biodiversity and ecosystems.

Finally, pursuant to Decree No.2013-1211 of 23 December 2013 concerning the assessment procedure of public investments, for large projects (over EUR 100 million investment by the state) an *ex-ante* external counter expertise of the socio-economic impact of the concerned project must be carried out (see Article 3 point I in evidence xii). The French authorities also provided an example of an *ex-ante* counter expertise on a large project under the PIA (project Haute Performance Paris Vintimille, HPMV) showing that the operator's assessment of the environmental effects of the project were examined (see page 41 of evidence xiv).

**Furthermore, in line with the description of the measure, the green transition is listed by law as one of the objectives of the PIA.**

Pursuant to Article 8 of Law No.2010-237 amending finances for 2010 of the 9 March 2012, those projects financed by the PIA, among other objectives, aim to accelerate the green transition (see evidence xi).

**Furthermore, in line with the description of the measure, the PIA's governing bodies must ensure the application of these objectives, which is monitored through a dedicated indicator.**

The June 2023 assessment report of the Surveillance Committee for Future-oriented Investments (*Comite de surveillance des investissements d'avenir*, CSIA) outlines the addition, within the assessment mechanism, of *ex-ante* and continuous assessments which complement the *ex-post* assessment established in 2019 by the CSIA and the Secretariat General for Investment (*Secrétariat général pour l'investissement* – SGPI). The report further details how the SGPI monitors the dedicated indicators associated to seven impact areas, enabling the continuous assessment of the projects' impacts (see page 85 to 87 of evidence vi).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 4-8</b>	Related Measure: C4.I2 Develop decarbonised hydrogen	
<b>Name of the Milestone:</b> Signature of decision to attribute financial support to private promoters under the IPCEI on hydrogen		
<b>Qualitative Indicator:</b> Publication on webpage		<b>Time:</b> Q3 2022
<b>Context:</b>		

The objective of this investment is to support the development of value chains for the production of renewable and low-carbon hydrogen, and for the use of this hydrogen in downstream, end-use sectors, such as transport and industry. The investment consists of launching and implementing planned Important Projects of Common European Interest (IPCEIs) on renewable and low-carbon hydrogen.

Milestone 4-8 requires the signature of the decision to attribute financial support to private promoters that are part of the IPCEIs on hydrogen.

Milestone 4-8 is the first step of the implementation of the investment, and it will be followed by target 4-9 which is related to industrial capacity allowing for the production of 140 MW of electrolyzers per year. The investment has a final expected date for implementation in Q4 2025.

**Evidence provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. The list of beneficiaries, including a description of the project and the location.

The authorities also provided:

- ii. A summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.
- iii. The Annex to a press release issued by the Prime Minister's office describing the projects
- iv. The ten signed contracts granting support to projects selected under the IPCEI.

**Analysis:**

The justification and substantiating evidence provided by the France authorities cover all constitutive elements of the milestone.

**Signature of decision to attribute financial support to private promoters under the IPCEI on hydrogen.**

In this investment, the decision to attribute financial support is a contract signed by the Public Bank of Investment (*Banque Public d'Investissement, hereinafter referred to as "BPI"*), which grants the funds, and the recipient of the funds. France provided the contracts of the ten projects that have been selected under this measure signed by the representant of the company and the representant of the BPI.

**Furthermore, in line with the description of the measure, this investment shall consist of launching and implementing planned Important Projects of Common European Interest (IPCEIs) on renewable and low-carbon hydrogen, in association with other Member States. The planned IPCEIs are currently under co-construction with other Member States.**

This hydrogen IPCEI is one of the actions foreseen in the "acceleration strategy" foreseen in component 4 (Measure PIA 4).

France explained that these projects were part of the IPCEI agreed between 23 Member States in December 2020. Based on this agreement, France started the selection of the projects to be included in the first and second waves of the hydrogen IPCEI. The projects were selected through call for projects concluded on 30 June 2020. Later, the projects have been submitted to the European Commission to check their compliance with State aid rules. [The Commission approved State aid for the project presented by France in 2022](#). France resumed the selection procedure by

granting the aid through the signature of contracts.

Furthermore, in line with the description of the measure, the projects aim at the development and first industrial deployment of solutions to foster the renewable and low-carbon hydrogen value chain at the European level. France is expected to contribute to the planned projects through support ultimately aiming to (i) make an electrolyser gigafactory operational in France by 31 December 2023, (ii) make a gigafactory for fuel cells and more generally tanks and materials to allow the development of hydrogen-based heavy vehicles operational by 31 December 2023, and (iii) achieve the conversion of industrial sites to renewable or low-carbon hydrogen by 31 December 2025.

France provided the description of the projects supported, which includes the support to several gigafactories (such as Elogen, McPhy) some of which aim at distributing electrolyzers to industrial sites located in neighbouring countries (Germany, Luxembourg, Belgium). Symbio-Hymotive project aims at having a gigafactory for fuel cells for heavy-duty vehicles operational in France by end 2023. Several projects aim at achieving the conversion of industrial sites to renewable or low-carbon hydrogen by financing research and development of solutions to facilitate the production of hydrogen for industrial usages, notably components of electrolyzers, in partnership with industrial sites (such as Genvia). Therefore, the projects supported will participate to the development and industrial deployment of solutions to foster renewable and low-carbon hydrogen value chain at European level.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

Number: 4-10	Related Measure: C4.I3 Support plan to the aeronautics sector		
Name of the Target: Number of projects selected for support under the investment support fund			
Quantitative Indicator: Number	Baseline: 0	Target: 174	Time: Q1 2022
<p><b>Context:</b></p> <p>The measure aims to support the aeronautics industry to overcome economic challenges by maintaining and diversifying its capacities, increasing its environmental and digital performance and investing in transformative R&amp;D to decarbonise air transport. The investment is structured around two sub-measures. The first sub-measure consists of an investment support fund and the second sub-measure consists of support to R&amp;D in ‘green aircraft’ technologies through direct or indirect contributions to the green transition.</p> <p>Target 4-10 requires that 174 projects are selected for support under the investment support fund (first sub-measure). It is the first step of the investment, and it is accompanied by Target 4-11 (which relates to the second sub-measure) in this payment request. It will be followed by target 4-12 related to the number of projects completed under the fund (first sub-measure). The investment has a final expected date for implementation in Q4 2025.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. A summary document duly justifying how the target was satisfactorily fulfilled.</li><li>ii. Annex 1: The list of 174 selected projects selected provided by the General Directorate for Entreprise (DGE), including the file management reference (column F of the “<i>partenaire</i>” tab), a description of the project (column H of the “<i>partenaire</i>” tab), the recipient of the</li></ul>			

support (columns L and M of the “partenaire” tab) and the sector (column T of the “partenaire” tab).

- iii. An Excel spreadsheet detailing under which agreement each project is covered.

In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:

- iv. The signed agreement between the French Public Bank for Investment (BPI) France and the recipients of the support.
- v. The technical application form (“Annex 1”) from the recipients of the support detailing the projects and their contribution to the green transition.

The authorities also provided:

- vi. Annex 2 (a to c): Terms of reference outlining the technical specifications for each of the three calls for projects.
- vii. A link to the “Nomenclature d’Activité Française” or “NAF codes” – codes identifying the main branch of activity of a company – from the National Institute for Statistics and Economic Studies (INSEE) for airports and aircraft operators.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**174 projects shall be selected, based on terms of reference including as an eligibility criterion that selected measures shall contribute to the green transition, to be supported by the investment support fund to promote companies’ diversification, modernisation, and digital and environmental transformation (cumulative).**

France provided a list of 174 projects selected from the applications for support from companies in the aeronautic sector (see evidence ii), in response to three calls for projects. The analysis of 60 samples provided confirmed that the application forms from companies (see evidence v) include an overall overview of the investment to be supported by the fund and, where relevant, an annex dividing the investment into different projects according to their main objective and applicable state aid regime. The agreements signed between the French Public Bank for Investment (BPI) and the aeronautic companies (see evidence iv) are grouped by project/state aid regime, and precise the project reference, state aid regime, and financial support allocated. Therefore, one BPI agreement with a company may comprise more than one project in cases where one company has multiple, different projects under its application form with different state aid regimes.

The Council Implementing Decision required that “terms of reference for upcoming calls for projects” (in effect calls 2 and 3) should have included an eligibility criterion that the project contributes to the green transition. A criterion to this effect was included in these calls, as a selection criterion (see evidence vi). France further explained that as a result, only projects with a contribution to the green transition were submitted to achieve the target. The analysis of the technical application forms (see evidence v) submitted by the aeronautic companies for the sampling exercise confirms, for each of the 60 samples analysed, that the project does contribute to the green transition. The type of contribution depends on the project and includes reducing energy consumption, contributing to the circular economy, or implementing a project which inherently supports the transition (e.g. PV panels), which is in line with the definition on the RRF website: [https://ec.europa.eu/economy\\_finance/recovery-and-resilience-scoreboard/green.html](https://ec.europa.eu/economy_finance/recovery-and-resilience-scoreboard/green.html). Projects with a more digital angle fulfil the requirement from the milestone description of *cumulatively* supporting the digital and environmental transformation, for example by enabling companies to become paper-less or significantly reduce their printing. Whilst this constitutes a

minimal substantive deviation from the requirement of the Council Implementing Decision, the objective of the measure and the effect of the requirement were effectively achieved and all projects submitted for the achievement of the target do contribute to the green transition. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Furthermore, in line with the description of the measure, the first sub-measure shall consist of an investment support fund to promote companies' diversification, modernisation, and digital and environmental transformation.**

France provided the terms of reference of the three calls for projects conducted under the measure, all of which have the aim to promote companies' diversification, modernisation, and digital and environmental transformation, as per the measure description.

**Furthermore, in line with the description of the measure, the fund shall support companies of the aeronautics sector.**

The list provided by France (see evidence ii) includes the sector for each project in column T, which is identified as being the aerospace and defence sector for all the projects. Moreover, the application forms (see evidence v) for all of the 60 units analysed as part of the sampling exercise provide an overview of the main activities of the recipient of the support, which confirms that they operate in the aeronautic sector.

**Furthermore, in line with the description of the measure, a first call for projects was organised in the second half of 2020, and other calls for projects shall be organised in the coming years.**

France provided the terms of reference for three separate calls which took place in 2020 (two calls) and 2021 (one call) (see evidence vi).

**Furthermore, in line with the description of the measure, in order to ensure that this first sub-measure complies with the 'do no significant harm' principle, aircraft operators (in particular airports and airlines) shall be explicitly excluded from the calls for projects under this sub-measure.**

The measure description in the Council Implementing Decision required that calls for projects explicitly exclude airports and airlines. The terms of reference for the calls submitted by France as evidence do not include such an explicit requirement. However, France confirmed that the requirement was complied with, in so far as the calls were to support industrial activities and therefore already exclude services companies. Moreover, France provided the NAF codes (code defining the main sector of activity of a company) from the National Institute for Statistics and Economic Studies for each company recipient of the fund. The same NAF code was found in the application form of the sample analysed. When comparing the NAF codes of the companies from the sample and the NAF codes for airports and for airlines, it was confirmed that none of the 60 sample projects supported were for airports or airlines. Therefore, the exclusion of airports and airlines is effectively achieved for all projects analysed. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

Number: 4-11		Related Measure: C4.I3: Support plan to the aeronautics sector	
Name of the Target: Number of R&D projects to promote low-carbon and energy efficient aircraft selected			
Quantitative Indicator: Number		Baseline: 0	Target: 200
Time: Q1 2022			
Context:			
<p>The measure aims to support the aeronautics industry to overcome economic challenges by maintaining and diversifying its capacities, increasing its environmental and digital performance and investing in transformative R&amp;D to decarbonise air transport. The investment is structured around two sub-measures. The first sub-measure consists of an investment support fund and the second sub-measure consists of support to R&amp;D in ‘green aircraft’ technologies through a direct or indirect contributions to the green transition.</p> <p>Target 4-11 requires that 200 R&amp;D projects are selected to promote low-carbon and energy efficient aircraft, with an eligibility criterion that selected projects shall contribute to the green transition (cumulative). Target 4-11 is the second step of the investment, and it is accompanied by Target 4-10 in this payment request, which relates to the first sub-measure. It will be followed by target 4-12 related to the number of projects completed under the investment support fund (first sub-measure). The measure will be completed by Q4 2025.</p>			
Evidence Provided:			
<p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. A summary document duly justifying how the target was satisfactorily fulfilled.</li><li>ii. Annex 1: A list of selected recipients provided by the General Directorate for Civil Aviation (<i>Direction Générale pour l’Aviation Civile</i>) (column C of the tab “<i>liste des bénéficiaires</i>”) per project (column B of the same tab), a description of the project and how it contributes to the green transition (column G of the same tab) as well as the level of direct and indirect contribution of the support (table under the tab “<i>liste des projets</i>”).</li><li>iii. An intermediary report from the General Directorate for Civil Aviation on the project selection process from March 2022.</li><li>iv. A final report from the General Directorate for Civil Aviation justifying how the target was achieved explaining the relevant technologies considered and the detail of the direct and indirect contribution of the projects to energy efficiency and reduction of climate impacts of future aircraft from June 2023.</li></ul> <p>In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:</p> <ul style="list-style-type: none"><li>v. An extract of the technical documents (Annex 1 of the agreement) from the project file received by the General Directorate for Civil Aviation highlighting the contribution of the project (direct or indirect) to the green transition.</li><li>vi. The signed agreement between the General Directorate for Civil Aviation and the recipient of the support.</li><li>vii. Where relevant to further support evidence of an indirect contribution, the General Directorate for Civil Aviation instruction report (“<i>rapport d’instruction</i>”) for the project.</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>viii. The press file on the Aeronautics support plan for a green and competitive industry (<i>Plan de soutien à l’aéronautique pour une industrie verte et compétitive</i>).</li><li>ix. A copy of the environmental report (<i>Rapport Environnement</i>) from the General Directorate for Civil Aviation for the years 2019 to 2022.</li><li>x. An extract from the CORAC Roadmap (<i>Feuille de Route du CORAC</i>) from the Research</li></ul>			



Council for Civil Aviation (*Conseil pour la Recherche Aéronautique Civile* (CORAC)) also available online <https://aerorecherchecorac.com/feuille-de-route-corac/>. The CORAC Roadmap focuses on the environmental transition of aviation and decarbonization of air transport by setting out a technological roadmap for research and development in the sector.

- xi. A presentation made at ministerial level presenting the CORAC Roadmap from 20 May 2020.

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**200 R&D projects are selected to promote low-carbon and energy efficient aircraft, selected with an eligibility criterion that selected projects shall contribute to the green transition (cumulative).**

The French authorities provided a list of 206 projects selected to promote low-carbon and energy efficient aircraft. The analysis of evidence provided by France, which includes a technical description of the project (see evidence v) as well as the signed agreement between the recipients of the support and the General Directorate for Civil Aviation (see evidence vi) for a sample of 60 units confirmed that all projects are selected in line with the requirements of the Council Implementing Decision that they are R&D projects which promote low-carbon and energy efficient aircraft.

The measure description in the Council Implementing Decision requires that the selection process for the projects includes “an eligibility criterion that selected projects shall contribute to the green transition (cumulative)”. The projects were selected through an open portal, with no explicit eligibility criterion related to the green transition. However, the interim report (see evidence iii, page 5) presents the selection process whereby projects submitted by recipients of the support are assessed notably to check their technical maturity and their alignment with the French Resilience and Recovery Plan. The report explicitly indicates that the pertinence of the project in relation to the CORAC Roadmap (see evidence xi) – which has for main priority the environmental transition of the sector – was assessed as part of the selection process. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the further evidence provided for the 60 projects from the sample, in particular the technical documents (see evidence v) submitted by the recipients of the support, confirmed that all projects contribute to the green transition. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Furthermore, in line with the measure description, the second sub-measure shall consist of support to R&D in ‘green aircraft’ technologies. It shall be focused on fostering disruptive and transformative innovation in the aeronautics sector, to achieve its green transition, building on an integrated approach aiming to address all technological challenges identified. To that end, it shall support individual or collaborative R&D projects focused on the technological preparation of a new generation of ‘ultra-sober’ or ‘zero emission’ aircraft.**

The evidence provided by the French authorities (notably evidence ii which provides the detail of the recipients of the support and a description for each project; and evidence iv which provides a report of the measure) allows to verify that selected projects were individual or collaborative projects to support R&D in green aircraft technologies, fostering disruptive and transformative innovation in the aeronautics sector to achieve its green transition. The analysis of the evidence submitted for 60 units, notably the annex of the signed agreement describing the technical aspects of the projects (see evidence v), confirm this finding.

As regards the support of the measure to the green transition, in its summary document (see



evidence i), France explains the strong interlink of the measure with the Research Council for Civil Aviation's (*Conseil pour la Recherche Aéronautique Civile*, hereinafter referred to as "CORAC") roadmap (see evidence xi), which has as main priority the decarbonisation of the aeronautics sector. This was substantiated by a presentation at ministerial level from May 2020 (see evidence viii) describing the basis for measure C4.I3 "Support to the aeronautics sector", which France submitted as evidence, and which lists the CORAC roadmap as a pillar. The elements mentioned in the measure description to define the direct and indirect contribution to the green transition can be found in the CORAC roadmap, which is more exhaustive in listing the different levers and types of action for decarbonisation of the sector, notably as regards indirect contribution. For example, while security is not one of the examples in the measure description in the Council Implementing Decision, the CORAC roadmap states that security is an inherent element to develop future competitive and affordable green aircrafts. Safety is also one of the categories under the "operational improvement" lever of the roadmap, as well as advanced modelling for example. The ministerial presentation (see evidence xii) also states that the roadmap is in full coherence with research plans for the aeronautics sector deployed at European level including Cleansky/CleanAviation and SESAR. It is therefore relevant to take into account the CORAC roadmap in the assessment, especially given the very technical and complex nature of the measure.

France provided for each project an explanation of how it contributes directly or indirectly to the green transition (see evidence ii and iv). Based on the analysis of the evidence provided (notably Annex 1 of the signed agreements describing the technical details of the projects in evidence v), all projects from the sample were confirmed to be in line with one of the levers set out in the measure description for projects with a direct contribution to the green transition. For projects where the angle of indirect contribution to the green transition is not explicitly specified in the measure description (but is part of the CORAC roadmap presented in evidence xi and xii), France provided the instruction reports on the project selection (see evidence vii), which include a clause on the project alignment with the CORAC roadmap. The instruction reports analysed confirmed the indirect contribution is in line with the CORAC roadmap for all projects but one. For this project relating to fundamental research (no instruction report), France provided further evidence demonstrating the correlation of the project with the "advance modelling" category of the CORAC roadmap; therefore confirming its indirect contribution to the green transition.

**At least 70% of the effort shall directly contribute to the energy efficiency and reduction of climate impacts of future aircraft, and the remainder shall contribute indirectly via a reduction in cycles and costs over the entire aircraft life cycle, allowing a more rapid integration of green technologies into the fleets in service.**

On the basis of the above supporting evidence, the analysis of the technical files submitted as evidence for each project from the sample (Annex 1 of the agreement – see evidence v, signed agreements – see evidence vi, and instruction reports – see evidence vii) allows to verify that projects corresponding to at least 70% of the effort directly contribute to the energy efficiency and reduction of climate impacts of future aircraft, such as through reduction in fuel consumption or use of hydrogen and that the remaining effort contributes indirectly to the green transition via a reduction in cycles and costs over the entire aircraft life cycle (and other levers set out in the roadmap for the decarbonisation of the sector from the CORAC), allowing a more rapid integration of green technologies into the fleets in service.

**Furthermore, in line with the description of the measure, projects submitted by industry or research organisations shall be selected and shall typically be completed within three years.**

The list of projects submitted by The French authorities (see evidence ii) indicates the duration for each project, and confirms that the selected projects submitted by industry or research organisations will typically be implemented within three years. This analysis of the agreements

signed between the recipients of the support and the DGAC provided for the sample of 60 units (see evidence vi) confirmed that the large majority of projects have a duration below three years.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 5-1</b>	Related Measure: C5.R1 Implementation of ASAP law	
<b>Name of the Milestone:</b> Law No.2020-1525 (loi ASAP)		
<b>Qualitative Indicator:</b> Entry into force		<b>Time:</b> Q2 2022
<b>Context:</b> <p>The aim of the ASAP Law, promulgated in December 2020, is to bring the administration closer to citizens, to facilitate business developments and to simplify administrative procedures for both businesses and individuals. The objective of the reform is to implement some of the Law's remaining implementing provisions.</p> <p>Milestone 5-1 is the only milestone of this reform and concerns the entry into force of several implementing decrees of the ASAP Law, covering at least the following:</p> <ul style="list-style-type: none"><li>- Implementation of dispositions of procurement/renewal of sport membership and medical certificate;</li><li>- Instruction of environmental authorisation requests in urgent civil circumstances;</li><li>- Provisions relating to profit-sharing, participation or employee savings plan agreements.</li></ul>		
<b>Evidence provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. A summary document duly justifying how the milestone was satisfactorily fulfilled, with appropriate references to the underlying evidence and hyperlinks to the publication in the Official Journal of the implementing Decrees covering the three categories referred to in the milestone as well as indications as to the date of entry into force of each of these Decrees.</li><li>ii. A copy of Law No.2020-1525 of 7 December 2020 on accelerating and simplifying public action, as published in the Official Journal of the French Republic on 8 December 2020 (JOFR No.0108).</li><li>iii. A copy of the publication of Decree No.2021-564 of 7 May 2021 relating to the procedures for obtaining and renewing a sports federation licence and the procedures for entering a sports competition authorised by a delegated federation or organised by an approved federation, for minors other than in disciplines with special constraints, as published in the Official Journal of the French Republic on 8 May 2021 (JOFR No.0108).</li><li>iv. A copy of the publication of Decree No.2021-1000 of 30 July 2021 containing various provisions for applying the Law on accelerating and simplifying public action and simplifying environmental matters, as published in the Official Journal of the French Republic on 31 July 2021 (JOFR No.0176).</li><li>v. A copy of the publication of Decree No.2021-768 of 16 June 2021 relating to the National Commission for Collective Bargaining, Employment and Vocational Training, as published</li></ul>		

in the Official Journal of the French Republic on 17 June 2021 (JOFR No.0139).

- vi. A copy of the publication of Decree No.2021-1398 of 27 October 2021 specifying the conditions and deadlines for approving sectoral agreements on employee savings schemes, as published in the Official Journal of the French Republic on 29 October 2021 (JOFR No.0253).
- vii. A copy of the publication of Decree No.2021-1122 of 27 August 2021 specifying the deadlines and procedures for monitoring employee savings agreements and updating certain provisions relating to profit sharing and participation, as published in the Official Journal of the French Republic on 28 August 2021 (JOFR No.0200).

The authorities also provided:

- i. The Annexes to the 2020, 2021 and 2022 Budget bills listing the commissions and consultative or deliberative bodies directly attached to the Prime Minister or Ministers that were abolished or merged.

**Analysis:**

The justification and substantiating evidence provided by the French authorities cover all constitutive elements of the milestone.

**Entry into force of implementing decrees of the ASAP Law, covering at least the following:**

- **Implementation of dispositions of procurement/renewal of sport membership and medical certificate**

The Decree No.2021-564 of 7 May 2021 relating to the procedures for obtaining and renewing a sports federation licence and the procedures for entering a sports competition authorised by a delegated federation or organised by an approved federation, for minors other than in disciplines with special constraints entered into force on 9 May 2021, the day after its publication in the national Official Journal (JOFR No.0108 of 8 May 2021), in accordance with Article 1 of the French Civil code. Article 1 of the Decree amends the regulatory section of the Sport Code in line with the provisions laid down in Article 101 of the Law No.2020-1525 of 7 December 2020 on accelerating and simplifying public action law (ASAP Law) and sets out the operational procedures for implementation.

- **Instruction of environmental authorisation requests in urgent civil circumstances**

Pursuant to Article 48 of the ASAP Law, Article 2 of the Decree No.2021-1000 of 30 July 2021 inserts a new Article (R.181-53-1) into the Environment code to specify the deadlines and procedures for examining environmental authorisation requests for projects covered by Article L181-23-1 of the Environment code, i.e. 'activities, installations, structures or works falling within the scope of a civil emergency as referred to in Article L122-3-4' of the aforementioned code. The Decree entered into force on 1 August 2021, the day following its publication in the national Official Journal (JOFR No.0176).

- **Provisions relating to profit-sharing, participation or employee savings plan agreements**

Three decrees were adopted to implement and specify the provisions of Articles 19, 118 and 119 of the ASAP Law relating to profit-sharing, participation and employee savings plan agreements.

Adopted in application of Article 19 of the ASAP Law, the Decree No.2021-768 of 16 June 2021

specifies the powers and composition of the National Commission for Collective Bargaining on Employment and Vocational Training, to take account of the extension of its prerogatives to participation, profit-sharing and employee savings schemes by the ASAP Law. The Decree entered into force on 18 June 2021, the day following its publication in the national Official Journal (JOFR No.0139).

Adopted in accordance with Article 118 of the ASAP Law, the Decree No.2021-1398 of 27 October 2021 specifies the conditions and deadlines for approving sectoral agreements on profit-sharing, participation and employee savings schemes. The Decree was published in the national Official Journal (JOFR No.0253) on 29 October 2021 and entered into force on 1 November 2021, in accordance with its Article 4.

Adopted in accordance with Article 119 of the ASAP Law, the Decree No.2021-1398 of No.2021-1122 of 27 August 2021 specifies the deadlines and procedures for monitoring profit-sharing, participation and employee savings plan agreements. The Decree entered into force on 29 August 2021, the day following its publication in the national Official Journal (JOFR No.0200), except for its Article 1 which entered into force on 1 September 2021, in accordance with its Article 4.

**Furthermore, in line with the description of the measure, Article 89 of the ASAP Law provides for a simplification of the rules applicable to the online sale of medicine by allowing pharmacies to declare the opening of a website rather than request a prior authorisation.**

As prescribed in the description of the measure, the law also includes specific provisions delegating to the administrative authority the task of clarifying in separate decrees the conditions under which new environmental assessments may be requested for industrial project application (Article 33) and required for urban planning projects (Article 40) or the deadline for environmental authorisation for works addressing a civil emergency (Article 48).

**Finally, in line with the description of the measure, more than 15 committees have been abolished or merged following the entry into force of the ASAP Law.**

As provided for by the ASAP Law and further evidenced by the annexes to the 2020, 2021 and 2022 budget bills listing the commissions and consultative or deliberative bodies directly attached to the Prime Minister or Ministers, 12 committees have been formally abolished including, aside from the Observatory on Recidivism and Desistance (Article 6 of the ASAP Law) and the Superior Mutual Assurance Board (Article 17), the Central Milk Committee (Article 3 of the ASAP Law), the pre-trial Monitoring Commission (article 4), the National Council for Victim Support (Article 5), the National Services Commission (Article 7), the National Institute for Advances Studies in Security and Justice (Article 8), the Central Property Evaluation Commission (Article 9), the National Observatory for the safety and accessibility of educational establishments (article 10), the National Council for Spatial Planning and Development (Article 12), the National Scientific Committee for Collections (Article 13), the National Commission for the Evaluation of State Public Policies overseas (Article 14). In addition, seven committees were merged: the Superior Board for Professional Equality and the High Council for Equality (Article 20 of the ASAP Law), the Committee for the Housing of Disadvantaged People and the Monitoring Committee for the enforcement of the right to housing (Article 11), the Orientation Council for Participation, Profit sharing, Employees savings schemes and share ownership, the Commission for Retirement and Provident Agreements and the National Commission for collective negotiation on employment and vocational training (Article 19).

<b>Commission Preliminary Assessment:</b> Satisfactorily fulfilled
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Number: 6-2		Related Measure: C6.R1 Research Programming Law	
Name of the Target: Loi No.2020-1674 du 24 décembre 2020 – recruitments in tenure track			
Quantitative Indicator: Person		Baseline: 0	Target: 100
Time: Q4 2022			
<b>Context:</b> The aim of measure C6.R1 is the implementation of structural aspects of the Research Programming Law (adopted in December 2020). The Law pursues three objectives: strengthening the funding and organisation of research; improving the attractiveness of scientific jobs and careers; and enhancing the interactions of research with the economy and society. In order to achieve these objectives, the Law’s implementation – which entails the adoption of decrees –will focus on the following areas: (i) increasing the internal research and development expenditure of administrations and businesses; (ii) providing for an increase in the annual resources of the National Research Agency; (iii) strengthening the link between science and the economy.  Target 6-2 refers to the number of people having been recruited on ‘Tenure track’ (cumulative 2021-2022) under measure C6.R1. ‘Tenure track’ (“ <i>Chaire de Professeur Junior</i> ”) is a new recruitment route - established by the Research Programming Law - for a tenure post in a university or other higher education institution or in a public research organisation. Each successful candidate signs a contract (research and teaching agreement) with the employing institution lasting between three and six years.  Target 6-2 is the first step in the implementation of measure C6.R1 and will be complemented by the completion of target 6-1 related to the entry into force of at least 60% of decrees. It will be followed by target 6-3 related to an increase in public research funding compared to 2020. The reform has a final expected date for implementation in Q3 2025.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:  <div><div>i.</div><div>A summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.</div></div> <div><div>ii.</div><div>The complete list of tenure track recruitments aggregated from the operator's contract lists (Excel file of 27 July 2023 ‘<i>liste des bénéficiaires</i>’ including the higher education institute of the tenure track (column D), the area of research (column E), the internal reference number of the contract (column F), and the date of signature of the tenure track contract (column G), provided by the Ministry of Higher Education, Research and Innovation (MESRI) – General Directorate of Research and Innovation (DGRI).</div></div> <div>In the context of the sampling analysis, evidence was provided for a sample of 60 units, including for each unit:<div><div>iii.</div><div>A copy of the tenure track contract (“<i>Contrat Chaire de Professeur Junior</i>”).</div></div></div>			
<b>Analysis:</b> The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.			

**Number of tenure track recruitments (cumulative 2021-2022).**

In line with the Operational Arrangements, the French authorities provided the complete list of 139 tenure track recruitments (all in 2022). The list ("*liste des bénéficiaires*") was provided by the Ministry of Higher Education, Research and Innovation (MESRI) – General Directorate of Research and Innovation (DGRI). It shows that more than 100 persons have been recruited on tenure track in 2022, hence fulfilling the requirement of the target.

The evidence provided for a sample of 60 units confirmed that more than 100 recruitments in tenure track took place in 2022. For each of the 60 units, France provided a copy of the contract for tenure track recruitment ("*Chaire de Professeur Junior*"), with information – among others - on the employer (University/higher education institute/research organisation), the area of research, the date of the contract (all signed in 2022) and the duration of the contract (between three and six years).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 6-4</b>	Related Measure: C6.I1 Preserving R&D employment		
<b>Name of the Target:</b> Number of R&D personnel benefitting from the measure			
<b>Quantitative Indicator:</b> Person	<b>Baseline:</b> 0	<b>Target:</b> 1200	<b>Time:</b> Q4 2022
<b>Context:</b> Measure C6.I1 aims to support R&D employment by strengthening collaboration between public research laboratories and private businesses and by incentivising companies to hire young research graduates or have their existing researchers engage in doctoral or post-doctoral studies. The latter programme allows researchers to build up their skills and improve employability. The measure will cover between 50% and 80% of the salary of the researchers concerned, depending on the type of collaboration, in addition to providing a fixed subsidy of EUR 15 000 per researcher per year.  Target 6-4 refers to the total number of R&D personnel benefitting from four actions to support employment in R&D.  Target 6-4 is the only target under investment C6.I1 Preserving R&D employment.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:  <div><div>i.</div><div>A Summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.</div></div> <div><div>ii.</div><div>A copy of the report from the website of the National Research Agency (ANR) ‘<i>PLAN DE RELANCE: PRESERVATION DE L’EMPLOI R&amp;D - RAPPORT DE SYNTHESE</i>’ (Annex 1).</div></div> <div><div>iii.</div><div>A list of recipients associated to collaboration contracts within an Excel file including: the personal identifier of each individual in the list of recipients (column A); the type of collaboration as described in the Council Implementing Decision Annex (column B); the</div></div>			

company (column E) and the research laboratory (column I).

The authorities also provided:

- iv. The copies of 36 financial agreements between the non-profit structures related to the sample units, and the National Research Agency (*Agence National de Recherche, hereinafter referred to as "ANR"*).

In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:

- v. The copy of the collaboration contract between the company and non-profit structure.
- vi. Timesheets of the R&D personnel.
- vii. Screenshots from the ANR data base including the personal identifier of the R&D personnel; the type of collaboration; the name of the company; the name of the non-profit structure; the name of the R&D personnel (for 21 sample units).

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **1 200 R&D personnel benefitting from the four actions to support employment in R&D.**

The four actions as described in the Council Implementing Decision are the following:

- Companies allocating R&D staff for a period of 12-24 months to public research laboratories in the context of a common research project, whereby the researcher(s) concerned spend at least 80% of their time on the project, including 50% in research laboratories.
- Companies allowing R&D staff to start doctoral studies during their career, for a period of 36 months, whereby the researcher(s) are engaged full-time on the doctorate and spend 50% of their working time in a research laboratory.
- Young graduates with a master's degree employed by a public research institution, who are assigned to a company for a period of 12 to 24 months to work on a common research project, whereby the researcher(s) work for at least 80% of their time on the project, including at least 50% in the company.
- Young doctoral graduates employed by a public research institution who start an industrial post-doctorate for a period of 12 to 24 months, whereby the researcher(s) spend at least 80% of their time on the project, including at least 50% in the company.

The French authorities provided a list of recipients including the personal identifier for 1 378 R&D personnel, the type of action, the company and the non-profit structure (see evidence iii). The collaboration contracts were signed by the company and the non-profit structure (see evidence v) as indicated in the list of recipients Excel file (see evidence iii) and covered one or multiple R&D personnel who benefitted from one of the four actions as indicated in the list of beneficiaries.

The evidence provided for a sample of 60 units confirmed the achievement of the target. The contracts either included direct reference to the concerned action from the French Recovery and Resilience Plan, which matches the description of the four actions detailed in the Council Implementing Decision, or in cases without a direct reference, the contract by itself or together with the timesheet and the screenshot from the ANR's data base included all the criteria described under the reported action. Therefore, to confirm the sample unit multiple data points from the Excel list of recipients were verified and confirmed with the collaboration contracts, namely the name of the company, the non-profit structure, and the type of action. For 21 sample units, screenshots of the ANR database were also provided in order to establish the uniqueness of the sample unit, especially in cases in which multiple R&D personnel were covered by the same collaboration contract. The screenshots of the ANR database indicated the personal identifier, the company, the non-profit



profit structure, the type of action and the name of the R&D personnel (see evidence vii). All the screenshots matched the information in the collaboration contracts and together they confirmed the validity of the sample units. On this basis, the evidence provided for a sample of 60 units confirmed that this requirement of the target has been met.

**Furthermore, in line with the description of the measure, the measure will cover between 50% and 80% of the salary of the researchers concerned (with a fixed ceiling), depending on the type of collaboration, and the measure will provide a support package of EUR 15 000 per researcher per year to the research laboratory.**

The French authorities provided the copies of 36 financial agreements between the ANR and the non-profit structures, covering the collaboration contracts of the 60 sample units between the relevant non-profit structure and a company. The collaboration contracts for the 60 sample units could be retraced to one of the financial agreements either through the reference to the relevant non-profit structure or through both the reference to the non-profit structure and direct reference to the financial agreement in the collaboration contract. The 36 financial agreements included specific reference to the measure, the four actions and the percentage of salary covered depending on the action as well as the EUR 15 000 support package.

On this basis, the evidence provided confirmed that these requirements of the target have been met.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 6-8</b>	Related Measure: C6.I3 Supporting innovative businesses	
<b>Name of the Milestone:</b> Launch of the call for proposals or interest		
<b>Qualitative Indicator:</b> Publication on the ‘Secrétariat Général pour l’Investissement ’ (SGPI)’s website		<b>Time:</b> Q4 2022
<b>Context:</b> The objective of measure C6.I3 is to finance R&D investment for innovative companies, under the ‘volet structurel’ of the fourth future-oriented investments programme ‘Programme d’Investissements d’Avenir’ (hereinafter referred to as ‘PIA4’). It targets innovative enterprises that, individually or through collaborative programmes, need access to financing to cover the risk inherent to their R&D projects. It includes: i) innovation competitions for start-ups and SMEs; ii) support for structured R&D projects.  Milestone 6-8 concerns the launch of the call for proposals or interest under measure C6.I3 Supporting innovative businesses.  Milestone 6-8 is the first step of the implementation of investment C6.I3 and it will be followed by milestone 6-9 relating to awards of contracts – implementing decision of the Prime Minister. Together with the award of contracts, milestone 6-9 will verify the exclusion of (i) activities related to fossil fuels, including downstream use; (ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; (iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and (iv) activities where the long-term disposal of waste may cause harm to the environment. The investment has a final expected date for implementation in Q4 2024.		
<b>Evidence provided:</b>		

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A Summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.
- ii. A supporting explanatory Excel file with the list of recipients including the following information:
  - a. list of the names of all the calls for proposals or interest (column E);
  - b. link to the publication website for each call (column F);
  - c. status (open/closed/ongoing) of the calls (column H);
  - d. links to the publicly available decrees relative to the approval of the terms of reference in the Official Journal (column G).
- iii. The terms of reference launched and published online by bpifrance for the following calls:
  - a. 1<sup>st</sup> generic projects call (*'i-Démo - soutien aux projets structurants de R&D'*) closed on 3 May 2022 (terms of reference, *hereinafter referred to as 'evidence iii.a.'*)
  - b. 2<sup>nd</sup> generic projects call (*'i-Démo – soutien aux projets structurants de R&D&I'*) closed on 20 June 2023 (terms of reference, *hereinafter referred to as 'evidence iii.b.'*)
  - c. 7<sup>th</sup> wave of the innovation competitions i-Nov (*'Concours d'innovation i-Nov'*) closed on 11 May 2021 (terms of reference, *hereinafter referred to as 'evidence iii.c.'*)
  - d. 8<sup>th</sup> wave of the innovation competitions i-Nov (*'Concours d'innovation i-Nov'*) closed on 5 October 2021 (terms of reference *hereinafter referred to as 'evidence iii.d'*)
  - e. 9<sup>th</sup> wave of the innovation competitions i-Nov (*'Concours d'innovation i-Nov'*) closed on 22 March 2022 (terms of reference, *hereinafter referred to as 'evidence iii.e.'*)
  - f. 10<sup>th</sup> wave of the innovation competitions i-Nov (*'Concours d'innovation i-Nov'*) closed on 28 September 2022 (terms of reference, *hereinafter referred to as 'evidence iii. f'*)
  - g. 11<sup>th</sup> wave of the innovation competitions i-Nov (*'Concours d'innovation i-Nov'*) closed on 22 March 2022 (terms of reference, *hereinafter referred to as 'evidence iii. f'*)

The authorities also provided:

- iv. Copy of the list of projects selected under the innovation competitions for start-ups and SMEs.
- v. Copy of the agreement of 14 May 2021 between the French State, EPIC Bpifrance and the public limited company Bpifrance relating to the future-oriented investments programme, as published in the Official Journal of the French Republic on 16 May 2021 (NOR No.PRM12113007X; JORF No.0113).
- vi. Copy of the application forms with all relevant Annexes to be completed by the operators for all the calls for proposals or interest.
- vii. Copy of the assessment report of the Surveillance Committee for Future-oriented Investments (*Comite de surveillance des investissements d'avenir*, CSIA) of 2023.
- viii. Copy of an example *ex-ante* counter expertise on a large project under the PIA (project Haute Performance Paris Vintimille, HPMV).
- ix. Copy of the publication of Decree No.2013-1211 of 23 December relating to the

assessment procedure of public investments, as published in the Official Journal of the French Republic on 26 December 2013 (JOFR No.0299).

- x. Copy of Article 8 of Law No.2010-237 amending finances for 2010 of 9 March 2010, modified by Law No.2021-1900 of 31 December 2021, as published in the Official Journal of the French Republic on 10 March 2010 (JOFR No.0058).
- xi. Excel file with a list of projects selected under i-demo.
- xii. A copy of the agenda of the steering committee meeting on 6 June 2021 on support innovative businesses (PIA).
- xiii. A copy of the decisions from the steering committee meeting of 17 November 2021 on support to innovative businesses (PIA).
- xiv. The applications forms and annexes which applicants must complete for all the calls, including for the analysis:
  - a. the blank application form including the requirements to be included in the description of the projects submitted for each one of the seven calls
  - b. the annex 'environmental impact grid' to be completed by the operators for five of the calls: 2<sup>nd</sup> generic projects call ('*i-Démo – soutien aux projets structurants de R&D&I*'); 8<sup>th</sup> wave of the innovation competitions i-Nov ('*Concours d'innovation i-Nov*'); 9<sup>th</sup> wave of the innovation competitions i-Nov ('*Concours d'innovation i-Nov*'); 10<sup>th</sup> wave of the innovation competitions i-Nov ('*Concours d'innovation i-Nov*'); 11<sup>th</sup> wave of the innovation competitions i-Nov ('*Concours d'innovation i-Nov*')

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.

#### **All calls for proposals or interest under this measure launched for the innovation aids, including innovation competitions for start-ups and SMEs, and R&D projects.**

The calls under the measure have been launched and were also closed by the time of the second payment request as the project made further progress. The calls were published on the website of Bpifrance, on the website of the General Secretary for Investments (*Secrétariat General pour l'investissement, hereinafter referred to as "SGPI"*) and for the five calls under the '*Concours d'innovation i-Nov*' they were also published on the ADEME's website; however, they were no longer accessible online as they were closed at the time of assessment of the payment request. As evidence of the publication and launch of the calls, the French authorities provided the terms of reference for the seven calls under this measure with the date the call closed as well as the links to the publicly available decrees relative to the approval of the terms of reference in the Official Journal (see evidence ii and evidence iii). Each of the seven Decrees on the first page of the Decrees on the website '*legifrance*' include a footnote specifying where the terms of reference can be consulted while they are open, which always included the SGPI's website (see evidence ii.d). As evidenced in the terms of reference, the two calls under the support for structured R&D projects scheme '*i-Démo – soutien aux projets structurants de R&D*' were closed respectively on 3 May 2022 and 20 June 2023 (see page 1 of evidence iii.a. and iii.b). The terms of reference for the five calls under the innovation competitions for start-ups and SMEs scheme ('*Concours d'innovation i-Nov*') indicate that wave 7 was closed on 11 May 2021, wave 8 was closed on 5 October 2021, wave 9 was closed on 22 March 2022, wave 10 was closed on 28 September 2022, and wave 11 was closed on 11 April 2023.

The Council Implementing Decision states that all calls under this measure are launched. However, the two schemes ‘innovation competitions for start-ups and SMEs’ (*‘Concours d’innovation i-Nov’*) and ‘support for structured R&D projects’ (*‘i-Démo – soutien aux projets structurants de R&D’*) under the PIA4 exist beyond the Recovery and Resilience Facility (RRF) as detailed in the French Recovery and Resilience Plan (RRP). Calls were launched prior to the RRF and more calls can be expected to be launched after the second payment request. The seven calls provided fall under the timeframe of this measure and correspond to the two schemes described in the Council Implementing Decision as detailed below. The terms of reference of the seven calls demonstrated the closing date, therefore demonstrating that the calls had been launched prior to the second payment request. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

**Furthermore, in line with the description of the measure, innovation competitions for start-ups and SMEs will accompany the creation and growth of innovative technology companies through aid to guide young researchers towards creating a business, to capitalise on the results of public research, and finally to finance start-ups and SMEs’ innovation projects with high potential.**

As outlined in the terms of reference under the innovation competitions for start-ups and SMEs scheme (*‘Concours d’innovation i-Nov’*), the competitions set the objective of supporting innovative projects led by start-ups and SMEs and encourage the rapid emergence of companies that are leaders in their field, with the potential to achieve global reach (see page 3 of evidence iii c, d, e, f and g). As outlined in the terms of reference of the calls and in the communication document for the selection of the projects, the calls under the innovation competitions for start-ups and SMEs scheme (*‘Concours d’innovation i-Nov’*) accompany the i-phd and i-lab competitions which are respectively aimed at young researchers creating their own startups and capitalising on the results of public research (see page 4 of evidence iii c, d, e, f and g; see page 9 of evidence iv).

**Furthermore, in line with the description of the measure, support for structured R&D projects will accompany collaborative projects involving large companies with SMEs and mid-cap companies (‘ETI’), with an incentive to work with research laboratories on projects stemming from the strategic industry committees (‘Comités stratégiques de filière’). These projects bring together a consortium of at least two companies, with a view to creating synergies and fostering knowledge transfer, and to strengthening the depth and technological intensity of new innovative products or services.**

The terms of reference for the support R&D projects (*i-demo*) calls confirmed that these fund collaborative projects with as a minimum one small and medium-sized enterprise (SME) and one mid-cap company (‘ETI’) (see page 3 of evidence iii.a and pages 4 and 5 of evidence iii.b). This scheme, as described in the calls, supports the development of highly innovative, high value-add products or services in order to strengthen France’s scientific and technological base (see page 1 of evidence iii.a). This is done through effective collaborations which were described in the terms of reference as including knowledge transfer between partners (see page 5 and 17 of evidence iii.a). The actions and results stemming from i-demo, as described in the agreement between the state and Bpifrance, aim to have broad reaching effects beyond the project limited life cycle and help restructure existing or emerging industrial sectors together with public research (see page 3 of evidence v). In the application process of the call, the project leader is required to present itself and its partners as well as the key stakeholders and their roles, describing, among others, the role of the consortium in structuring the industry (including support from the ‘Comités stratégiques de filière’ (CSF) and the competitiveness hub ‘pôles de compétitivité’) and the contribution, role and importance of academic partners (see part II of annex 4 on page 15 of evidence iii.a).

**Furthermore, in line with the description of the measure, the terms of reference for upcoming calls for projects will include as an eligibility criterion to ensure the environmental neutrality of the applications of the funded solution, in a way that ensures that the measure complies with the ‘do no significant harm’ principle of Regulation (EU) 2021/241.**

All the terms of reference required the submission of an environmental performance impact assessment as part of the project description, or environmental impact grid, by the operator, providing information on the environmental impact of the project (see page 7 of evidence iii.a, see page 8 of evidence iiib, see page 6 and pages 15 to 29 of evidence iiic, see pages 5 and 14 of evidence iiid., see page 5 and 14 of evidence iiie, see page 5-6 of evidence iiif., see pages 5 and 6 of evidence iiig.). The impact grids on environmental performance include, among others, specific indicators (*les émissions de GES / kWh consommés ou produits / émissions de polluants / quantités de ressources / quantité de déchets*) (see the first and second tab of the environmental impact grids in evidence xiv.b). With the project descriptions and the environmental impact assessments France’s green transition agency (*Agence de la transition écologique*, ADEME) excludes projects to ensure the environmental neutrality of the applications of the funded solution (see page 6 and page 7 of evidence iii.a; page 7 and page 3 of evidence iiib; pages 6 and 15 of evidence iiic; pages 5 and 14 of evidence iiid; page 5 and 13 of evidence iiie; page 5 of evidence iiif; page 5 of evidence iiig.). A ‘negative’ impact equates to causing significant harm to the environment within the meaning of the EU taxonomy on the concept of Do Not Significant Harm (DNSH).

In addition, all the calls validated and launched after the adoption of the Council Implementing Decision, namely five out of the seven calls, contain in their terms of reference explicit reference to DNSH and the European Taxonomy Regulation, stating that ‘Projects causing significant harm to the environment will be excluded (application of the DNSH - Do No significant Harm - principle)’ within the meaning of Article 17 of the European Taxonomy Regulation [...]’. This was either included directly or indirectly, through a cross-reference, in the eligibility criteria (see page 6 and page 7 cross referencing page 2 and 3 of evidence iii.a; page 7 and page 3 of evidence iii.b; page 5 of evidence iii.e; page 5 of evidence iii.f; page 5 of evidence iii.g). Furthermore, the DNSH principle was more extensively developed in the Annex ‘Environmental performance impact criteria’ for two of the calls (see page 12 of evidence iii.a and page 9 and 13 of evidence iii.b).

This requirement concerns only the terms of reference for ‘upcoming calls’, therefore, calls launched after the adoption of the Council implementing decision. ‘Wave 7’ under the ‘*Concours d’innovation i-Nov*’ was launched prior to the Council Implementing Decision adoption on 13 July 2021, and its terms of reference are therefore not covered by the requirement in the measure description (see page 1 of evidence iii.c). Wave 8 under the ‘*Concours d’innovation i-Nov*’ was validated by the steering committee on 30 June prior to the Council Implementing Decision adoption and was launched in July, in parallel to the adoption of the Council Implementing Decision, and its terms of reference are therefore not covered by the requirement in the measure description (see page 1 of evidence viii). Furthermore, the steering committee meeting on support to innovative businesses in the PIA (‘*COPIL*’) which took place after the adoption of the Council Implementing Decision, including a decision on wave 9 of the ‘*Concours d’innovation i-Nov*’, stressed the importance of the application of the ‘Do no significant harm principle’ in future calls (see page 5 of evidence ix).

**Furthermore, in line with the description of the measure, this will complement the fact that, whenever applicable, environmental criteria are part of the selection criteria for projects, and that operators are required to produce a critical analysis of their proposals based on internal and external expertise.**

As stated above, all the terms of reference submitted by the French authorities and listed in the Evidence provided, required that operators submit an environmental performance impact assessment which includes a critical analysis of the project's environmental impact according to qualitative and quantitative criteria. These terms of reference all specified that the environmental performance impact of the projects is used for the selection of the projects (see page 7 of evidence iia; pages 8 to 10 of evidence iib; pages 7 and 8 of evidence iic; pages 6 and 7 of evidence iid; pages 6 and 7 of evidence iie; pages 5 and 6 of evidence iif; pages 5 and 6 of evidence iig). In addition, the 2023 assessment report of the Surveillance Committee for Future-oriented Investments (*Comite de surveillance des investissements d'avenir*, CSIA) outlined the PIA's assessment procedure, detailing that the *ex-ante* assessment of projects is based on the aforementioned environmental impact grid, which includes six axes (see page 87 of evidence ix):

- i. combating climate change (production of renewable energy, energy efficiency, climate through the reduction of greenhouse gases);
- ii. adaptation to climate change and resilience in the face of environmental risks;
- iii. combating pollution (air, water);
- iv. management of water and marine resources;
- v. transition to a circular economy;
- vi. protecting and restoring biodiversity and ecosystems.

Finally, pursuant to Decree No.2013-1211 of 23 December 2013 concerning the assessment procedure of public investments, for large projects (over EUR 100 million investment by the state) an *ex-ante* external counter expertise of the socio-economic impact of the concerned project must be carried out (see evidence vi).

**Furthermore, in line with the description of the measure, the green transition is listed by law as one of the objectives of the PIA.**

Pursuant to Article 8 of Law No.2010-237 amending finances for 2010 of the 9 March 2012, those projects financed by the PIA, among other objectives, aim to accelerate the green transition (see art. 8 point I.B in evidence vii).

**Furthermore, in line with the description of the measure that the PIA's governing bodies must ensure the application of these objectives, which is monitored through a dedicated indicator.**

The June 2023 assessment report of the Surveillance Committee for Future-oriented Investments (*Comite de surveillance des investissements d'avenir*, CSIA) outlines the addition, within the assessment mechanism, of *ex-ante* and continuous assessments which complement the *ex-post* assessment established in 2019 by the CSIA and the Secretariat General for Investment (*Secrétariat général pour l'investissement* – SGPI) (see pages 83 to 86 of evidence vi). The report further details how the SGPI monitors the dedicated indicators associated to seven impact areas, enabling the continuous assessment of the projects' impacts (see page 85 to 87 of evidence vi).

**Commission Preliminary Assessment:** Satisfactorily fulfilled



<b>Number:</b> 6-10		Related Measure: C6.I4 Space	
<b>Name of the Target:</b> Award of contracts to beneficiaries			
<b>Quantitative Indicator:</b> Amounts (millions)	<b>Baseline:</b> 0	<b>Target:</b> 200	<b>Time:</b> Q1 2022
<b>Context:</b> The measure aims to support projects in the Space area, financing programmes, R&D projects and the projects in Vernon.  Target 6-10 concerns the EUR 200 000 000 contracted with beneficiaries of (i) calls for projects in areas relevant to the space sector and national competition for space applications (“Space Tour 2021”); and (ii) projects in Vernon (recovery of hydrogen, park of solar panels, modernisation of rocket engine testing facility).  Target 6-10 is the first step of the implementation of the investment C6.I4, and it will be followed by target 6-11 related to the number of recipients of calls for projects in areas relevant to the space sector and national competition for space applications and milestone 6-12 related to the investments in Ariane 6. The investment has a final expected date for implementation in the end of 2024.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:  <div><div>i.</div><div>Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled, with appropriate links to the underlying evidence.</div></div> <div><div>ii.</div><div>Annex 1: List of awards of contracts to beneficiaries with the number of the contract, date, amount being awarded, name of project, description of action supported, recipients and location (source reporting CNES).</div></div>			
The authorities also provided: <div><div>iii.</div><div>Press publication with selected companies “<i>Lauréats du volet spatial de France Relance Juin 2022</i>” <i>Ministère de l’Economie, des Finances et de la Souveraineté Industrielle et Numérique</i>.</div></div> <div><div>iv.</div><div>Extract table of GBCP (<i>Gestion Budgétaire et Comptable Publique</i>) exercice 2021.</div></div> <div><div>v.</div><div>Extract table of GBCP (<i>Gestion Budgétaire et Comptable Publique</i>) exercice 2022.</div></div> <div><div>vi.</div><div>Budget général - Mission ministérielle - Compétitivité - Projets annuels de performances - annexe au projet de loi de finances pour 2021.</div></div> <div><div>vii.</div><div>Budget général - Programme 363- Compétitivité - Rapports annuels de performances – Annexe au projet de loi de règlement du budget et d’approbation des comptes pour 2021.</div></div> <div><div>viii.</div><div>Budget général - Mission ministérielle - Compétitivité - Projets annuels de performances - annexe au projet de loi de finances pour 2022.</div></div> <div><div>ix.</div><div>Budget général programme 363 - Compétitivité - Rapports annuels de performances – Annexe au projet de loi de règlement du budget et d’approbation des comptes pour 2022.</div></div> <div><div>x.</div><div>Cahier Spécial des Charges Space tour 2021 (Call for projects).</div></div> <div><div>xi.</div><div>Convention signed on 10 May 2021 DGE- CNES (projects in Vernon).</div></div> <div><div>xii.</div><div>95 contracts of list of awards.</div></div>			
<b>Analysis:</b> The justification and substantiating evidence provided by the French authorities cover all constitutive elements of the target.  <b>EUR 200 000 000 contracted with recipients of (i) calls for projects in areas relevant to the space</b>			



sector and national competition for space applications (“Space Tour 2021”); and (ii) projects in Vernon (recovery of hydrogen, park of solar panels, modernisation of rocket engine testing facility).

As evidenced by the 95 contracts submitted by the French authorities (see evidence xii) and the official list of recipients of ‘*Volet Spatial de France Relance*’ published in June 2022 by the French ministry for the Economy, Finance, Industrial and Digital Sovereignty (see evidence iii). France contracted a total of EUR 197 866 584 with the winners of the ‘Space Tour 2021’ call for projects and the recipient of the projects in Vernon. Whilst the contracted amount is below the target of EUR 200 000 000 set by the Council Implementing Decision, thereby constituting a minimal deviation, this slight difference (1%) does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 6-11	Related Measure: C6.I4 Space		
<b>Name of the Target:</b> Number of beneficiaries			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 80	<b>Time:</b> Q1 2022
<b>Context:</b> The objective of this investment is to support three actions: <ul style="list-style-type: none"><li>Respond to calls for financing launched by the European Space Agency (ESA) to finance space programmes, such as scientific missions, development of satellite programmes or financing of the Ariane 6 Programme.</li><li>R&amp;D projects in the following ways: public procurement, call for projects and national competition for space applications.</li><li>Projects in Vernon, the site where the European Space Agency is expected to carry out the first tests to develop “Prometheus”, a reusable and low-cost rocket engine.</li></ul> <p>Target 6-11 concerns the number of beneficiaries of calls for projects in areas relevant to the space sector and national competition for space applications (“Space Tour 2021”).</p> <p>Target 6-11 is the first step of the implementation of the investment C6.I4, together with target 6-10 which concerns the total amount awarded to those beneficiaries. Target 6-11 will be followed by milestone 6-12 in Q4 2024, related to the investments in Ariane 6 Programme.</p>			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided: <ul style="list-style-type: none"><li>i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled, with appropriate links to the underlying evidence.</li><li>ii. The list of awards of contracts to recipients.</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>iii. Press publication with selected companies (in line with T6-10 evidence).</li><li>iv. Official procurement document.</li><li>v. Subsidy convention.</li><li>vi. Official letter/mail notification.</li></ul>			

vii.	Cahier Spécial des Charges Space tour 2021 (in line with T6-10 evidence).
viii.	Convention signed DGE CNES (projects in Vernon) (in line with T6-10 evidence).
<b>Analysis:</b> The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.  <b>Number of recipients of calls for projects in areas relevant to the space sector and national competition for space applications (“Space Tour 2021”).</b> France provided a list of 117 recipients of calls for projects in areas relevant to the space sector and national competition for space applications (see evidence iii). The evidence provided for a sample of 60 units (see evidence iii, iv, v and/or vi) confirmed that this requirement of the target has been met, in particular as regards the number of recipients and the fact that these calls for projects correspond to areas relevant to the space sector and national competition for space applications (“Space Tour 2021”), as prescribed by the Council Implementing Decision. The evidence provided include the official procurement document (see evidence iv) or the subsidy convention (see evidence v) with the amount and explanation of the project subsidised. In line with the description of the measure, the requirements in the relevant areas to the space sector and national competition for space applications (including projects in Vernon) are respected in each sample.	
<b>Commission Preliminary Assessment:</b> Satisfactorily fulfilled	

<b>Number: 7-1</b>	Related Measure: C7.R1 3DS Law	
<b>Name of the Milestone:</b> Entry into force of the 3DS Law		
<b>Qualitative Indicator:</b> Entry into force		<b>Time:</b> Q1 2022
<b>Context:</b> The aim of this reform is to make the local public services more efficient and adaptable to specific local circumstances through the adoption of a dedicated Law covering a wide range of policy areas (housing, transport, ecological transition, health, solidarity). This law shall pursue four objectives: <ul style="list-style-type: none"><li>i. Decentralisation by completing the transfer of certain competences to local authorities;</li><li>ii. Differentialisation to ensure that each territory is able to respond to its own specificities;</li><li>iii. Deconcentration to bring the State closer to the field and better adapt decision-making to local realities;</li><li>iv. Simplification to facilitate the implementation of the previous objectives.</li></ul> An evaluation of the provisions under this Law to facilitate public action shall be carried out before 30 June 2025.  Milestone 7-1 concerns the entry into force of the 3DS Law aimed at strengthening the efficiency of public services by promoting differentiation, decentralization, deconcentration and simplification.  This milestone is the first step of the implementation of this reform and will be followed by M7-2 (due by Q2 2025) which consists in the publication of an evaluation report of the provisions implemented under the 3DS Law.		

**Evidence provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A summary document duly justifying how the milestone was satisfactorily fulfilled, with appropriate references to the underlying evidence.
- ii. A copy of the Law No.2022-217 of 21 February 2022 on differentiation, decentralization, deconcentration and on various measures to simplify local public action, as published in the Official Journal of the French Republic on 22 February 2022 (JOFR No.0044).

The authorities also provided:

- i. A presentation document of the 3DS Law No.2022-217 of 21 February 2022 produced by the ministry for territorial cohesion and relations with local authorities.

**Analysis:**

The justification and substantiating evidence provided by the French authorities cover all constitutive elements of the milestone.

**Entry into force of the 3DS Law aimed at strengthening the efficiency of public services by promoting differentiation, decentralization, deconcentration and simplification.**

The Law No.2022-217 of 21 February 2022 on differentiation, decentralization, deconcentration and on various measures to simplify local public action (*hereinafter referred to as "3DS Law"*) entered into force on 23 February 2022, the day after its publication in the national Official Journal (JOFR No.0044 of 22 February 2022).

As underlined in the summary and presentation documents submitted by the French authorities, the 3DS Law explicitly contributes to the promotion of differentiation, decentralization, deconcentration and simplification through a wide range of provisions and dedicated sections (respectively 'TITRE I<sup>er</sup>', 'TITRES II, III, IV and V', 'TITRE VI' and TITRE VII'), with the aim of making local public services more efficient and adaptable to local circumstances.

With regard to differentiation, Article 2 of the 3DS Law allows, for example, the regions and 'départements' to propose legislative changes to adapt the law to their needs while Article 189 of the 3DS Law allows – under specific conditions - French and foreign local authorities to set up local public companies to provide public services of common interest.

In terms of decentralization, the 3DS Law extends the powers of local authorities, notably by, among others, allowing municipalities and 'départements' to participate in the financing of the investment programme of public and private community health centres (Article 126) and recover abandoned properties more rapidly in order to carry out development and renovation projects (Article 98).

With regard to deconcentration, the 3DS Law includes several provisions to ensure the consistency of the State's action and its intervention at the most appropriate level by strengthening, for instance, the role of State representatives in the monitoring of territorial State agencies (Article 152) and allowing departmental prefects to manage some State investment grants (Article 155).

Finally, on simplification, section VII ('TITRE VII') of the 3DS Law allows, for instance, the deliberative assemblies of local authorities to use videoconferencing on a permanent basis (Article 170) and facilitates the exchange of information between administrations (Article 162) to avoid citizens having to give the same information several times.

Furthermore, in line with the description of the measure and as evidenced by the denomination and content of the different sections of the law, the 3D Law provides for a number of provisions in the areas of housing (TITRE III), transport (TITRE II, chapter II), ecological transition (TITRE II, chapter I), health, social cohesion, education and culture (TITRE IV, chapters I and II).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 7-5</b>	Related Measure: C7.R3 Civil service transformation	
<b>Name of the Milestone:</b> Implementation of actions identified as part of the projects launched on recruitment and equal opportunities		
<b>Qualitative Indicator:</b> Implementation report (yearly report on the state of civil service)		<b>Time:</b> Q1 2022
<b>Context:</b> The aim of this reform is to make the public service more representative, innovative and inclusive by contributing, in particular, to the professional integration of young and low-skilled people and fighting against all forms of discrimination, including inequalities between women and men. The measure consists of the implementation of two action plans for the professionalisation of the public service and equal opportunities.  Milestone 7-5 is the only milestone of this reform and concerns the implementation of actions on recruitment and equal opportunities.		
<b>Evidence provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:  <div><div>i.</div><div>A summary document reporting on the actions identified as part of the projects launched on recruitment and equal opportunities.</div></div> <div><div>ii.</div><div>A copy of the 2021 annual report on the state of the civil service published in October 2021 by the Ministry of Transformation and Public Services.</div></div> <div><div>iii.</div><div>A copy of the 2022 annual report on the state of the civil service published by the Ministry of Transformation and Public Services.</div></div> <div><div>iv.</div><div>A copy of the second edition of the report on combating discrimination and taking into account the diversity of French society in the civil service published on 30 November 2021 by the Ministry of Transformation and Public Services.</div></div> <div><div>v.</div><div>A copy of the 2022 annual report on professional equality between women and men in the civil service published by the Ministry of Transformation and Public Services.</div></div>		
The authorities also provided:		

- vi. Communication kit used as part of the implementation of the 'State employer brand' campaign.
- vii. 2021 Guide on the organisation of recruitment processes published by the Ministry of Transformation and Public Services.
- viii. Reference framework for jobs in the public sector (July 2021) available on the 'Public Service' Portal: <https://www.fonction-publique.gouv.fr/files/files/Devenir%20agent%20public/Referentiel-RMFP.xlsx>.
- ix. Press release from the Ministry of Transformation and Public Services regarding the launch of the 2<sup>nd</sup> edition of the '*Talentueuses*' coaching programme (1 August 2022).
- x. Circular of 21 May 2021 of the Ministry for Transformation and Public Services relating to the mobilisation of ministerial departments in favour of the integration of trainees within the State civil service (NOR TFPF2112554C).
- xi. Circular of 6 July 2022 of the Ministry for Transformation and Public Services relating to the apprentice recruitment campaign within the State civil service (NOR TFPF2220048C).
- xii. Practical Guide for administrative competitions for chairmen and members of selection boards published by the Ministry for Transformation and Public Services.
- xiii. 2020 Guide on the transformation of recruitment processes published by the Ministry of Transformation and Public Services.
- xiv. Presentation of the first working meeting of the interministerial 'Employer' brand communication group (13 December 2022).
- xv. Presentation of the '*Cycle des hautes études pour le service public*' (CHESP) by the National Management Centre.
- xvi. Presentation by the Steering Committee of the project 'Choose Public service' (31 May 2023).
- xvii. Presentation by the Strategic Orientation Committee (COMOR) of the project 'Choose public service' (13 July 2023).
- xviii. Performance report - Occupational Equality Fund (2022).
- xix. Certificate Label granted to the Ministry of Culture regarding the professional equality between women and men (2022).
- xx. Minutes of the recruitment committee organised by the Ministry for Transformation and Public Services on 22 June 2023.

#### Analysis:

The justification and substantiating evidence provided by the French authorities cover all constitutive elements of the milestone.

**The plan for equal opportunities has been implemented, with the following objectives: increase in the number of young apprentices, disabled workers, plan in favor of gender equality in senior State management, renovation of access to the public service through new competitive exams, support for the success of young talents throughout the territory, development of coaching and mentoring for equal opportunities.**

As underlined in the summary and presentation documents submitted by the French authorities, the Circular of 6 July 2022 of the Ministry for Transformation and Public Services relating to the apprentice recruitment campaign within the State civil service (NOR TFPF2220048C) contributes to the objective of increasing the number of young apprentices and disabled workers by setting a recruitment target of 17 000 new apprentices in the civil service and clear sub-targets per

ministries for the period 2022-2023, including at least 6% with disabilities (see section I of the Circular), and promoting the visibility of apprenticeship opportunities by making vacancies more widely available online (see section II).

With regard to gender equality in Senior State management, as mentioned in its 2022 annual report on professional equality between women and men in the civil service (see page 32), the Ministry of Transformation and Public Services the Ministry for Transformation and Public Services launched on 27 July 2021 the 'Talentueuses', a six-month coaching programme aimed at women eligible for a first senior management position within the State civil service. As indicated in the press release submitted by the French authorities, 50 women were selected as part of the second edition which was launched on 1 August 2022.

In terms of renovation of access to the public service and support to young talents throughout the territory, as indicated in the 2021 edition of the report on combating discrimination published by the Ministry of Transformation and Public Services (see pages 31-32) and further evidenced by the references and links included in the summary document submitted by the French authorities (see sections 4-8), a new selection procedure for civil service exams ('*Concours Talents*') has been opened on an experimental basis between 2021 and 2024 to promote equal opportunities by facilitating access to the public service for the students enrolled in the '*Prepa Talents*' scheme. This support scheme, which covers the whole territory, allows talented students from less privileged backgrounds to benefit from professionally oriented courses, enhanced tutoring, immersive internships and scholarships. Additional initiatives were also launched to develop mentoring and coaching, such as the '*Cordées du service public*' in January 2021.

**Furthermore, in line with the description of the measure, the following measures of the action plan for the professionalization of the public services have also been implemented: (1) the development of a State- employer brand, (2) the organization of recruitment processes, (3) the professionalization and training of actors, (4) improving the integration of newcomers, (5) the overhaul of the "*Place de l'emploi public*" website, (6) sourcing, (7) the creation of talent pools and (8) the strategic management of recruitments.**

As indicated in the summary note and the 2022 annual report on the state of the civil service published by the Ministry of Transformation and Public Services (see page 42), the development of the State's employer brand was supported by the launch of a dedicated website Choose Public Service ('*Choisir le service public*') on 7 February 2022 and the deployment of dedicated communication actions, as evidenced by the support materials submitted by the French authorities (communication kit, presentations of the Strategic Orientation and Steering Committees of the project 'Choose public service').

In addition, the organization of recruitment processes was further reinforced by the publication in 2020 and 2021 of two dedicated guides aimed at providing public employers with best practices. As indicated and referenced in the summary note and the 2021 Guide on the organisation of recruitment processes (see page 70), several initiatives were also taken to contribute to the professionalization and training of staff and improve the integration of newcomers. A dedicated interministerial recruitment training programme was set up in 2021 and a dedicated toolkit and online awareness-raising course were created for managers and HR officers to facilitate onboarding.

The '*Place de l'emploi public*' website, now called Choose Public Service ('*Choisir le service public*'),

has been overhauled to improve the user experience, facilitate the interoperability with HR information systems, as indicated in the summary note and the 2022 annual report on the state of the civil service (see pages 42-43).

Regarding sourcing, methodological recommendations and best practices were provided to public employers through the 2021 Guide on the organisation of recruitment processes provides public employers with (see pages 74-79).

In addition to the VINCI project mentioned in the 2022 Annual report on the state of civil service (see page 26), a dedicated interministerial training programme was created in 2021 (*'Cycle des hautes études de service public'*) to identify and train talents.

Finally, several actions have been taken to strengthen the strategic management of recruitments, be it, as mentioned above and indicated the 2022 annual report on the state of the civil service (see pages 40-41), via the development of the State's own employer brand or the organisation and coordination of dedicated committees with the HR services of other ministries.

The Council Implementing Decision required the implementation of the actions foreseen in the plans for equal opportunities and the professionalization of the public services to take place by 31 March 2022. Whilst some of the actions listed above took place as late as July 2023, thereby constituting a minimal deviation from the requirement of the Council Implementing Decision this delay is considered both limited and proportional as it concerns a small number of actions contributing directly to the achievement of the objectives of this measure. On this basis, it is considered that this constitutive element of the measure is satisfactorily fulfilled.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 7-12</b>	Related Measure: C7.R5 Assessment of the quality of public spending	
<b>Name of the Milestone:</b> Exit emergency measures under sanitary conditions		
<b>Qualitative Indicator:</b> Exit from emergency measures		<b>Time:</b> Q4 2022
<b>Context:</b> Complementary to the reform of the public finance governance, this measure aims to improve the quality, efficiency and sustainability of public spending by making spending reviews a regular practice and ensuring that public resources are allocated in a way that avoids redundancies and effectively promotes growth, social inclusion as well as the ecological and digital transitions.  Milestone 7-12 concerns the end of the emergency support mechanisms, under sanitary conditions put in place, from March 2020 to address the economic impact of the COVID-19 crisis.  It is the third milestone of this reform and follows the completion of milestones 7-10 (Q4 2021) and 7-11 (Q2 2021) which consisted in the publication, respectively, of the results of the productivity reforms carried out over 2017-2022 and the audit report of the national Court of Auditors on public finances. This second payment request also includes a milestone (7-13) on the construction of financial laws, which will be followed by two milestones, 7-14 (due by Q1 2024) and 7-14a (due by Q1 2025), related to the assessment of the measures taken in the financial laws to improve the quality of public spending.		



**Evidence provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A summary document duly justifying how the milestone was satisfactorily fulfilled, with appropriate references to the underlying evidence.

The authorities also provided:

- i. A copy of the 2022 draft Budget Law submitted to the National Assembly on 22 September 2021 (registration number No.4482);
- ii. A copy of the 2022 Budget Law No.2021-1900 of 30 December 2021 published in the Official Journal of the French Republic (JORF No.0304 of 31 December 2021);
- iii. A copy of the 2023 draft Budget Law submitted to the National Assembly on 26 September 2022 (registration number No.273);
- iv. A copy of the 2023 Budget Law No.2022-1726 of 30 December 2022 published in the Official Journal of the French Republic (JORF No.0303 of 31 December 2022).

**Analysis:**

The justification and substantiating evidence provided by the French authorities cover all constitutive elements of the milestone.

**Exit emergency measures under sanitary conditions, based on the recommendations of the report of the audit mission of the Court of Auditors.**

As outlined in page 12 of the 2022 draft Budget Law submitted to the national Assembly on 26 September 2021 (registration number No.273) and confirmed by the final allocation ('Etat B') annexed to the Budget Law No.2021-1900 of 30 December 2021 published in the Official Journal of the French Republic (JORF No.0304 of 31 December 2021), the annual draft budget presented by the French government for the year 2022 includes a significant reduction in the appropriations proposed for the emergency support programme '*Plan d'urgence face à la crise sanitaire*' created in 2020 which covers five support schemes (partial unemployment and financing of emergency aid to employers and the precariously employed, solidarity fund for businesses, exceptional reinforcement of the State's shareholdings, compensations to the social security system for reduced social security contributions, purchase of sanitary equipment in response to the COVID-19 crisis).

The evidence submitted confirms that the emergency support measures of the programme '*Plan d'urgence face à la crise sanitaire*' were not extended beyond 2022, in line with the recommendations of the national Court of Auditors. The extinction of the budgetary programme is mentioned in pages 14 and 217 of the 2023 draft Budget Law submitted to the National Assembly on 26 September 2022 (registration number No.273) and evidenced by the absence of any reference to this programme in the Annex ('Etat B') of the 2023 Budget Law No.2022-1726 of 30 December 2022 published in the Official Journal of the French Republic (JORF No.0303 of 31 December 2022).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 7-13</b>	Related Measure: C7.R5 Assessment of the quality of public spending	
<b>Name of the Milestone:</b> Construction of financial laws articulated with public expenditure evaluations covering the scope of public administration in compliance with the expenditure trajectory of the public finance programming law		
<b>Qualitative Indicator:</b> Construction of financial laws		<b>Time:</b> Q4 2022
<b>Context:</b> <p>Complementary to the reform of the public finance governance, this measure aims to improve the quality, efficiency and sustainability of public spending by making spending reviews a regular practice and ensuring that public resources are allocated in a way that avoids redundancies and effectively promotes growth, social inclusion as well as the ecological and digital transitions.</p> <p>Milestone 7-13 concerns the kick start of a revamped practice of spending review and evaluation of public spending, starting from the preparation of the Budget Law for 2023 onwards. It aims at ensuring that the assessment of the quality of public spending is effectively integrated into the definition of annual budgetary decisions, with enhanced consistency with the multiannual fiscal strategy.</p> <p>It is the fourth milestone of this reform and follows the completion of milestones 7-10 (Q4 2021) and 7-11 (Q2 2021) which consisted in the publication, respectively, of the results of the productivity reforms carried out over 2017-2022 and the audit report of the national Court of Auditors on public finances. This second payment request also includes a milestone (7-12) on the gradual exit from the support mechanisms put in place as of 2020 to respond to the economic impacts of the health crisis.</p> <p>It will be followed by two milestones, 7-14 (due by Q1 2024) and 7-14a (due by Q1 2025), both related to the assessment of the measures taken in the financial laws to improve the quality of public spending.</p>		
<b>Evidence provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. A summary document duly justifying how the milestone was satisfactorily fulfilled, with appropriate references to the underlying evidence.</li><li>ii. A copy of the 2023 Budget Law No.2022-1726 of 30 December 2022 published in the Official Journal of the French Republic (JORF No.0303 of 31 December 2022).</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>iii. A report on France’s evaluation system, explaining how the construction of the 2023 Budget Law was articulated with public expenditure evaluations (<i>‘Les arbitrages et l’évaluation des politiques publiques au cœur de la procédure budgétaire française’</i>) ;</li><li>iv. A copy of the closing speech given by the French Prime Minister at the Conference on Public Finances held on 19 June 2023.</li><li>v. A copy of the opening speech given by the French Minister for the Economy, Finances and Industrial and Digital Sovereignty at the Conference on Public Finances held on 19 June 2023.</li><li>vi. A Flyer presenting the Conference on Public Finances held on 19 June 2023.</li><li>vii. A copy of the Report on the assessment of the quality of public spending submitted by the</li></ul>		

- French Government to Parliament on 24 July 2023.
- viii. A copy of the draft 2023-2027 public finances programming law submitted to the National Assembly on 26 September 2022 (draft Law No.272).
  - ix. A copy of the 2024 draft Budget Law submitted to the National Assembly on 27 September 2023 (No.1680)
  - x. A copy of the 2023-2027 public finances programming Law adopted by the French Parliament on 15 November 2023 (No. 186)

**Analysis:**

The justification and substantiating evidence provided by the French authorities cover all constitutive elements of the milestone.

**Construction of financial laws articulated with public expenditure evaluations covering the scope of public administration and in compliance with the expenditure trajectory of the public finances programming law**

As evidenced by the examples and references included in the report submitted by the French authorities (*‘Les arbitrages et l’évaluation des politiques publiques au coeur de la procedure budgétaire française’*), the construction of the 2023 Budget Law No.2022-1726 of 30 December 2022 was supported by several public expenditure evaluations covering not only the scope of State expenditure (see section II.A 1) but also that of social security administrations (see section II.A.2). Several savings measures resulting from the recommendations of these evaluations were integrated into the 2023 Budget Law, including – for instance – the reduction in the resources allocated to Chambers of Commerce (see Article 116) or the non-renewal of certain tax reduction schemes (see part I, first chapter).

The Council Implementing Decision required financial laws to be constructed in compliance with the expenditure trajectory of the public finances programming Law. In considering which public finances programming law should be considered for the purpose of this assessment, the Commission took into account the following:

- a) The programming law in force at the time of the construction of the 2023 Budget Law (Law No.2018-32 of 22 January 2018), only covered the period between 2018 and 2022 and could therefore not be applicable to the financial year 2023.
- b) The subsequent public finances programming law, whose entry into force will be assessed under milestone 7-9, as part of France’s third payment request has a later date of implementation in the Council Implementing Decision (Q4 2022 for this milestone versus Q1 2023 for that milestone, where the Council Implementing Decision specifically refers to the *“entry into force of the new public finance programming law from 1 January 2023”*) and, given the above, cannot be the relevant programming law for the assessment of milestone 7-13.
- c) Based on the construction and wording of the measure and the milestones in the Council Implementing Decision, it is the draft 2023-2027 public finances programming law that was under consideration at the time when the 2023 Budget Law was constructed and, therefore, can be considered the only relevant for assessing the fulfilment of this milestone.

On this basis, the Commission considers the draft 2023-2027 public finances programming law submitted at the time of the construction of the 2023 Budget law as the public finances programming law to be considered for the purpose of this assessment. In this respect, the expenditure trajectory set out in the 2023 Budget Law, adopted in Q4 2022, was designed in compliance with the draft new public finances programming law for 2023-2027, which was submitted to the French National Assembly on 26 September 2022 (draft Law No.272). The

preliminary article of the 2023 Budget law provided for a 1,1% reduction in public spending, in line with the initial trajectory set out in article 3 of the draft 2023-2027 public finances programming Law.

It is noted that the adoption of the 2023-2027 public finances programming Law was delayed and a revised version was tabled by the French Government on 29 September 2023 and adopted by the French Parliament on 15 November 2023. This revised version takes stock of the latest budget information available for the year 2023 since the initial draft. This adjustment is further reflected in the preliminary article of the draft 2024 Budget Law submitted to Parliament on 27 September 2023 (No.1680) which sets out an expenditure trajectory for the years 2023 and 2024 aligned with that of the public finances programming Law. As mentioned above, this law will be assessed under milestone 7-9, as part of France's third payment request.

**Furthermore, in line, with the description of the measure, the public expenditure impact assessments are strengthened from 1 January 2023 and the assessment of the quality of public spending made a regular practice as of 2023 with a clear scope and calendar.**

Article 167 of the 2023 Budget Law, which entered into force on 1 January 2023, introduces a permanent and recurrent spending review mechanism which requires the Government to submit to Parliament before 1 June each year a report presenting the results of its public expenditure evaluations, together with reform and savings proposals. With a view to informing the preparation of the next financial laws, Article 167 of the 2023 Budget Law provides that this report shall identify, in particular, redundant tax expenditures and efficiency gains. This new spending review mechanism was effectively deployed in 2023, as evidenced by the evaluation report that the French government submitted to Parliament in 2023, which explores several avenues for reform (see section II.2) and also specifies the programming method for future spending reviews (see section III).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 7-15</b>	Related Measure: C7.I1 Digital upgrade of companies		
<b>Name of the Target: Number of companies that received a subsidy to foster digital investments</b>			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 3 320	<b>Time:</b> Q1 2022
<b>Context:</b> Investment C7.I1 aims to support the modernisation of companies through digitalisation. Target 7-15 is related to the second sub-measure which aims to support investments in 3 320 industrial SMEs and mid-caps through upscaling and supporting their medium / long-term digitization strategy with the adoption of new technologies.  Target 7-15 is the first target of the implementation of the investment. It will be followed by target 7-16 related to the first sub-measure on number of diagnoses, digital accompaniments or trainings provided to companies through the scheme 'FranceNum'.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:			

- i. A summary document duly justifying how the target was satisfactorily fulfilled, in line with the requirements set out in the Council Implementing Decision Annex.
- ii. An Excel file (Annex 1) issued by the Service and Payment Agency (*Agence de services et de paiement*) on 28 November 2022 and titled List of beneficiaries (*Liste de bénéficiaires*) which includes, among others, for each recipient the eligible category of industrial activity for the subsidy.

The authorities also provided:

- iii. The copy of Decree No.2020-1291 of 23 October 2020 relating to aid for transformation investments towards the industry of the future of industrial SMEs and EISEs. The Decree was published in Official Journal of the French Republic No.0259 of 24 October 2020.
- iv. The copy of Decree No.2020-1621 of 19 December 2020 amending Decree No.2020-1291 of 23 October 2020 relating to aid for transformation investments towards the industry of the future of industrial SMEs and ISEs. The Decree was published in the Official Journal of the French Republic No.0307 of 20 December 2020.
- v. The copy of Decree No.2021-535 of 30 April 2021 relating to aid for transformation investments towards the industry of the future of industrial SMEs and ISEs for 2021. The Decree was published in the Official Journal of the French Republic No.0103 of 2 May 2021.
- vi. The copy of Order of 30 April 2021 relating to the terms of management of aid for transformation investments towards the industry of the future of industrial SMEs and ISEs for 2021. The Order was published in the Official Journal of the French Republic No.0103 of 2 May 2021.

In the context of the sampling analysis, evidence was supplied for a sample of 60 units, including:

- vii. The 'industry of the future' agreement between the French authority and the company.
- viii. The legal information of the company showing its number of employees and activity domain.
- ix. A proof of payment showing that a subsidy was given to the company.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **The target requires that 3 320 companies were supported to foster digital investments through the scheme 'Industries of the Future'.**

The target has been fulfilled as 3 370 enterprises have received support to foster digital investment through the scheme 'Industries of the Future', as reported by France (see evidence ii). The analysis of the evidence (see evidence vii and ix) provided for a sample of 60 units supported the number of companies declared by France.

#### **Furthermore, in line with the description of the measure, the investment shall support investments in industrial SMEs and mid-caps through upscaling and supporting their medium / long-term digitization strategy with the adoption of new technologies.**

The list of beneficiaries provided by France for a sample of 60 units specifies the size of the companies which are all either SMEs or mid-caps. The company size of each sample unit was cross-checked using the legal information of the company showing its number of employees or size category. France also provided the definition from the General Tax Code (*Code général des impôts*) (Article 39 decies B, II) used by the Service and Payment Agency (*Agence de services et de paiement*) responsible to allocate the aid to verify that the activity to be supported was industrial. The Decree No.2020-1291 of 23 October 2020 (see evidence iii) and subsequent revisions

amending it, also provided, by France stipulate the objective of the scheme 'Industry of the future' (*Industrie du futur*) to support the transformation of industrial SMEs and mid-caps towards the industry of the future.

**Furthermore, in line with the description of the measure, the support shall take the form of a subsidy for the acquisition of a property registered as a fixed asset and assigned to an industrial activity in predefined eligible categories: robotic equipment, additive manufacturing, virtual or augmented reality, design software, integrated machines for high-performance computing, numerically-controlled production machines, as well as software or equipment the use of which requires artificial intelligence.**

France provided the Decree No.2020-1291 of 23 October 2020 (see evidence iii) and its subsequent amendments which set out the conditions as described in the measure description as regards the form and nature of the support eligible. For a sample of 60 units, France provided a copy of an agreement between the French authority and the company. That agreement, which was mentioning the scheme 'industry of the future' and its legal framework, was listing the fixed assets for which a subsidy for the acquisition was attributed. For several sample units, the description of the assets was missing in the agreement and the analysis was then made using invoices. The analysis of the different evidence provided showed that subsidised assets were complying with the description of the measure. Finally, France provided a proof of payment of the subsidy for each unit of the sample. All payments followed the requirements.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

Number: 7-20	Related Measure: C7.I4 State digital upgrade: digital identity		
Name of the Target: Number of digital ID cards produced			
Quantitative Indicator: Number	Baseline: 0	Target: 3 000 000	Time: Q1 2022
<p><b>Context:</b></p> <p>The objective of measure C7.I4 ‘Digital upgrade of the State – digital ID’ is to produce and put in circulation national digital identity cards and develop a state-guaranteed digital system. In this context, the State IT systems will also be upgraded, including the application for secure electronic documents ‘<i>Titres électroniques sécurisés</i>’ (and subsequent cybersecurity upgrade), the implementation of fingerprint collection devices, and the National Agency for Secure Titles’ user portal. This measure will improve security and European digital interoperability (eIDAS Regulation).</p> <p>Target 7-20 requires the production and circulation of new digital identity cards.</p> <p>Target 7-20 is the first step of the implementation of investment C7.I4 ‘Digital upgrade of the State – digital ID’ and it will be followed by target 7-21 related to the number of holders of the new ID cards with a ‘digital identity’ compartment allowing them to access the newly developed sovereign digital identity application. Furthermore, target 7-21 is related to the development of a State-guaranteed digital identification system and the adaptation of systems, equipment and related IT networks to avoid disruption to users. The development of the new system will be made in a European context of digital interoperability (eIDAS Regulation). The investment has a final expected date for implementation in Q4 2023.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. A Summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.</li><li>ii. The consolidated data indicating the number of digital IDs in circulation for each of the centres processing ID cards (<i>Centre d’Expertise de ressources et des titres, hereinafter referred to as ‘CERT’</i>) extracted from each CERT’s internal system and compiled into one Excel file by the French authorities.</li><li>iii. List of beneficiaries by file number for more than 3 million digital IDs.</li><li>iv. Annual report (2021) from the National Secure Documents Agency (ANTS) detailing among others the number of digital ID cards distributed by 31 December 2021.</li></ul> <p>In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:</p> <ul style="list-style-type: none"><li>v. Screenshot of the relevant CERT’s system for each file, anonymised appropriately.</li></ul>			
<p><b>Analysis:</b></p> <p>The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.</p>			



**Number of new identity cards produced and in circulation.**

The French authorities provided the consolidated data indicating the total number of digital ID cards produced and put into circulation for each of the 21 centres processing ID cards (*'Centre d'Expertise de ressources et des titres, hereinafter referred to as 'CERT'*), for a total of 3 522 104 digital ID cards produced and put into circulation. Based on this total population a random sample was generated, with the sample unit numbers falling in 17 CERTs. The French authorities provided the full list of file numbers for each of the 17 CERTs concerned, the total of which was 3 406 465 digital ID cards. This list being over 3 million, a sample of 60 units was generated using the file number of the processed ID cards. The evidence provided for a sample of 60 units – namely the screenshots of the relevant CERT's system for each digital ID card which included the file number, the reason for the request (such as renewal after theft, new card, renewal after expiry), the status of the process with the associated date (that is, produced, sent, received, in circulation), and the location (see evidence v) – confirmed that 3 million digital identity cards were produced and put into circulation by the time of the second payment request. One of the sample units demonstrated that the digital ID card had been produced and put into circulation but had been destroyed at a later date. This sample unit was not considered failed, as this is part of the normal management of ID cards and the destruction of the document does not invalidate its initial circulation.

**Furthermore, in line with the description of the measure, the measure will contribute to improve security.**

As described in the annual report of the National Secure Documents Agency (ANTS), digital identity cards allow for more secure identity cards with new features such as secured transparent borders with optic verification, a new type of diffracted image with nano technology, engraved patterns, high security chips containing the image and figure prints of the card holder, a multiple laser image (MLI) and a secured background with symbols visible only with a magnifying glass and which extend to the transparent border in order to verify that both the front and back of the card belong to the same document (see page 24 of evidence iv). France has endeavoured to upgrade the national identity card's format in line with the EU Regulation 2019/1157 on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement (see page 24 of evidence iv). Under these criteria the new identity cards were considered more secure.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 7-26	Related Measure: C7.I9 Digital transformation of the school		
<b>Name of the Target:</b> Number of school classes digitally equipped			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 45 000	<b>Time:</b> Q4 2022
<b>Context:</b> Investment C7.I9 aims at supporting the development of digital and hybrid education in primary and high schools.			

Target 7-26 requires that 45 000 school classes are digitally equipped.

Target 7-26 is the only milestone or target of this investment. The investment has a final expected date for implementation in Q4 2022.

**Evidence Provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A summary document duly justifying how the target was satisfactorily fulfilled.
- ii. An Excel file (Annex 1) issued by the Ministry for Education and Youth (*'Ministère de l'Éducation nationale et de la jeunesse (MENJ)'*) containing a list of primary and secondary schools having invested in digital equipment in addition to a description of the number of teachers trained to master the new digital tools and environment.

The authorities also provided:

- iii. An agreement between the State, Ministry of National Youth Education and the PIX Public Interest Group, signed on 26 October 2021 with entry into force on 1 January 2021, clarifying the arrangements for implementing a mechanism for assessing and certifying the digital skills of teachers in school education as part of the implementation of the 'digital support and training to teachers' measure of the Recovery and Resilience Plan.
- iv. An amendment to the agreement between the State, Ministry of National Youth Education and the PIX Public Interest Group, signed on 21 December 2022 with entry into force at the date of signature, amending or supplementing the terms as regards the duration of implementation, the financial conditions and the annex relating to the actions envisaged and the associated budget.
- v. An agreement between the State, Ministry of National Education, Youth and Sports and the Canopé Network, laying down the terms and conditions for the financing provided by the Ministry to the Canopé Network as part of its participation in the implementation of the pedagogical continuity measure for its 'digital support and training to teachers' measure of the Recovery Plan.
- vi. An agreement between the State, Ministry of National Education, Youth and Sports and the National Center for Distance Education, signed on 8 March 2022 with entry into force at the date of signature, specifying how the CNED organises digital skills certification sessions for teachers as part of the 'digital support and training to teachers' measure of the Recovery and Resilience Plan.

In the context of the sampling analysis, evidence was supplied for a sample of 60 units, including:

- vii. An agreement between the Academic region and the commune/community of communes where the school is situated.
- viii. A financial statement showing the equipment concerned and a certification that it was installed in the school. The statement was signed by the public accountant and by the mayor of the commune/community of communes.
- ix. Invoices provided by the commune detailing acquisition of equipment and services.

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**The target requires that 45 000 school classes are digitally equipped with digital resources in elementary classes, as well as hybrid classes in secondary education together with support for change for the personnel concerned.**

France stated that a total number of 109 929 school classes were digitally equipped, which is above the target of 45 000. The evidence provided for a sample of 60 units supported the number of school classes declared by France. Also, the evidence showed that the school classes were digitally equipped in line with these requirements. First, France provided, for each of the sampled schools, an agreement between the commune and the academic region (see evidence vii). The agreement was showing the school which was identifiable by its unique identifier. That identifier and the number of classes could be cross-checked with the information provided in the Excel file containing the list of schools. Second, France provided a financial statement detailing procured equipment and services and showing a confirmation that the equipment was installed in the school (see evidence viii). In some cases, the confirmation of the installation was not in the financial statement and was replaced by a digital statement on the electronic platform dedicated to the action. Finally, France provided several agreements between the State and an organisation. These agreements were organising the 'digital support and training for teachers'. They show that the French authorities put in place a support for change to create the conditions for developing teachers' professional digital skills, in line with the requirements.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-1	Related Measure: C8.R1 Provision of services by the unemployment agency (Pôle Emploi)		
<b>Name of the Target:</b> Agencies having integrated Cap’Emploi services			
<b>Quantitative Indicator:</b> Number of agencies	<b>Baseline:</b> 0	<b>Target:</b> 700	<b>Time:</b> Q4 2022
<b>Context:</b> <p>Target 8-1 is part of investment C8.R1 “Provision of services by the unemployment agency (<i>Pôle Emploi</i>)” whose objective is to reorganise the provision of services by the main public employment service (<i>Pôle Emploi</i>), in order to improve the individual support to jobseekers.</p> <p>The target concerns the integration of <i>Cap’Emploi</i> services, which specialises in employment for persons with disabilities, in 700 agencies.</p> <p>Target 8-1 is one of two targets of this reform. It is accompanied by Target 8-2 related to compensation counsellors in this payment request.</p> <p>The measure description in the Council Implementing Decision requires that the implementation of two aspects shall more specifically be monitored: the integration of <i>Cap’Emploi</i>, which specialises in employment for persons with disabilities, and the integration of compensation counsellors within the <i>Pôle Emploi</i> agencies. Target 8-1 relates only to the former aspect. The reform is expected to be completed by Q4 2022.</p>			
<b>Evidence Provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. A summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.</li><li>ii. Annex 1: List of <i>Pôle Emploi</i> agencies; an Excel file provided by the General Directorate for</li></ul>			

Employment and Vocational Training (*'Direction Générale de l'Emploi et de la Formation Professionnelle (DGEFP)'*) including the agencies where a *Cap'Emploi* service was integrated (column K), their reference code (column D) and the address of the agency (column F).

In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:

- iii. A screenshot of the AUDE Human Resources database showing the name of the *Cap'Emploi* employee, the agency where the service was integrated, as well as an overview of the *Cap'Emploi* employee's portfolio.
- iv. The evidence also includes a screenshot of the planning calendar tab of the IT system of the agency showing the allocation of a *Cap'Emploi* agent to the relevant agency.

The authorities also provided:

- v. The signed five-party framework (*Convention cadre quinquapartite*) between the State, *Pôle emploi*, Chéops, Agefiph (*Cap Emploi* representatives) and the Fund for the integration of disabled people into the civil service (*'Fonds pour l'insertion des personnes handicapées dans la fonction publique (FIPHFP)'*).

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **700 Agencies having integrated Cap'Emploi services.**

France provided a list of 847 *Pôle Emploi* agencies (see evidence ii) having integrated a *Cap'Emploi* service. The evidence provided for a sample of 60 units confirmed that the requirement of the target has been met. In particular, that a *Cap'Emploi* agent is attached to a *Pôle Emploi* agency and is encoded in the agency's human resources system (see evidence iii), therefore demonstrating that the reform was implemented. The *Cap'Emploi* Human Resources system screenshot (see evidence iii) shows the name and employee identification number of the *Cap'Emploi* employee, as well as the name and code of the agency and the *Cap'Emploi* employee portfolio (see evidence iv). One agency from the sample was identified as an error. France explained that this was due to an incorrect Excel filter. Following verifications by France, two additional agencies from the target list were reported as also being mistakenly included. The invalid sample and additional two disqualified files do not put in question the achievement of the target with 844 agencies having integrated a *Cap'Emploi* services for a target of 700.

#### **Furthermore, in line with the description of the measure, Cap'Emploi specialises in employment for persons with disabilities.**

France provided the signed framework agreement between the State, the two *Cap'Emploi* representative organisations, the Fund for the integration of disabled people into the civil service and *Pôle Emploi* (see evidence v). The agreement describes the role of *Cap'Emploi* counsellors in supporting persons with disabilities in their search for employment, therefore confirming the focus of *Cap'Emploi* on employment for persons with disabilities.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

**Number:** 8-2

Related Measure: C8.R1 Reform of the provision of services by the unemployment agency

Name of the Target: Agencies with compensation counsellor			
Quantitative Indicator: Number of agencies	Baseline: 0	Target: 700	Time: Q4 2022
<p><b>Context:</b></p> <p>Target 8-2 is part of investment C8.R1 “Provision of services by the unemployment agency (Pôle Emploi)” that concerns the reorganisation of the provision of services by the main public employment service (<i>Pôle Emploi</i>), in order to improve the individual support to jobseekers. The target relates to the integration of 700 compensation counsellors within <i>Pôle Emploi</i> agencies.</p> <p>Target 8-2 is one of two targets of this reform and requires that 700 <i>Pôle Emploi</i> agencies have implemented the “compensation counsellor” set-up. It is accompanied by Target 8-1 in this payment request. The reform is expected to be completed by Q4 2022.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. A summary document duly justifying how the target was satisfactorily fulfilled.</li> <li>ii. Annex 1: List of <i>Pôle Emploi</i> agencies provided by the General Directorate for Employment and Vocational Training (<i>‘Direction Générale de l’Emploi et de la Formation Professionnelle (DGEFP)’</i>) including the reference of the agency (tab ‘site CRI’ column B) and the address of the agency (tab ‘Fiches APE et RPE’ columns Y, AB and AE).</li> </ul> <p>In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:</p> <ul style="list-style-type: none"> <li>iii. A screenshot of the <i>Pôle Emploi</i> Human Resources database in Oracle showing the staff number of the <i>Pôle Emploi</i> compensation counsellor and agency to which the counsellor is assigned.</li> <li>iv. A screenshot of the <i>Pôle Emploi</i> compensation counsellor’s portfolio from the “mon portefeuille CRI” IT system.</li> </ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"> <li>v. A presentation of the reform made to the central social and economic committee (CSEC) – the body of staff representatives – presenting the extension and generalization phase from the reform from 20 July 2020, and the email sent to the CSEC participants.</li> </ul>			
<p><b>Analysis:</b></p> <p>The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.</p> <p><b>700 Agencies having implemented the “compensation counsellor” set-up</b></p> <p>France provided a list of 882 <i>Pôle Emploi</i> agencies having implemented the “compensation counsellor” set-up. For a sample of 60 units, the screenshots of the human resources system provided (see evidence iii) demonstrated the affiliation of a compensation counsellor to 60 <i>Pôle Emploi</i> agencies. Furthermore, the screenshots of the counsellors’ portfolio (see evidence iv) confirmed that each counsellor has an active portfolio and that the service is therefore embedded in the work of the agency. Moreover, the presentation provided by France made to the body of staff representatives on 20 July 2020 (see evidence v) explains the role of the compensation counsellor and the timeline for the roll out of the reform.</p>			

Furthermore, in line with the measure description, the Council Implementing Decision requires that the implementation of two aspects shall more specifically be monitored: the integration of *Cap'Emploi*, which specialises in employment for persons with disabilities, and the integration of compensation counsellors within the *Pôle Emploi* agencies. Target 8-2 relates only to the latter aspect. Target 8-1 relates to the former.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-7	Related Measure: C8.R4 Reform of the unemployment insurance
<b>Name of the Milestone:</b> Automatic entry into force of the remaining measures once economic conditions improve	
<b>Qualitative Indicator:</b> Entry into force	<b>Time:</b> Q4 2022
<p><b>Context:</b></p> <p>The measure aims to promote sustainable employment, by strengthening incentives to return to stable employment for workers and by limiting the overuse of short-term contracts by businesses. The part of the reform included in the Recovery and Resilience Plan consists in reviewing the access conditions and levels of unemployment benefits and in establishing a Bonus-malus on employers' social security contributions in function of their use of short-term contracts. These measures shall enter into force at the earliest in 2021, as soon as pre-determined levels of economic activity and employment are reached, as measured by the following indicators:</p> <ul style="list-style-type: none"> <li>• Decrease by 130 000 of the number of unemployed registered with <i>Pôle Emploi</i> (over six months)</li> <li>• More than 2 700 000 hiring declarations for contracts of more than one month (cumulative over four rolling months).</li> </ul> <p>Milestone 8-7 requires that the following measures automatically enter into force once economic conditions improve:</p> <ul style="list-style-type: none"> <li>• Restriction of conditions of access to benefits (six months instead of four)</li> <li>• Sliding scale for reducing benefits awarded to high-income recipients after six months of compensation;</li> </ul> <p>Milestone 8-7 is the second milestone linked to the implementation of the reform, following milestone 8-6 that was satisfactorily fulfilled in the context of the first payment request. Milestone 8-6 related to the entry into force of a new method for calculating the benchmark daily wage used for determining the amount of the allowance, of the sliding scale for reducing benefits awarded to high-income recipients after eight months of compensation, and of the first step of the "bonus-malus" applied to employers' social contributions in function of their use of short-term contract. The reform has a final expected date for implementation in Q4 2022.</p>	
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>Summary document duly justifying how the target was satisfactorily fulfilled.</li> <li>Annex 1: a note by the Ministry of Labour explaining how the different decrees and orders (Annexes 2 to 4) justify the satisfactory fulfilment of the milestone</li> </ol>	

- iii. Annex 2: Decree 2021-346 of 30 March 2021 on several measures relating to the unemployment insurance system, published in the Official Journal on 31 March 2021, and entered into force on 1 April 2021 (*'Décret no 2021-346 du 30 mars 2021 portant diverses mesures relatives au régime d'assurance chômage'*).
- iv. Annex 3: Order (*arrêté*) of 18 Novembre 2021 fixing the date at which the provisions of Articles 7-1 and 7-2 of the modified Decree of 14 April 2020 on emergency measures for replacement income mentioned in Article L. 5421-2 of the Labour Code cease to apply, published in the Official Journal on 20 Novembre 2021 and entered into force on 21 November 2021 (*'Arrêté du 18 novembre 2021 fixant la date à laquelle les dispositions des articles 7-1 et 7-2 du décret n° 2020-425 du 14 avril 2020 modifié portant mesures d'urgence en matière de revenus de remplacement mentionnés à l'article L. 5421-2 du code du travail cessent d'être applicables'*).
- v. Annex 4: Decree 2019-797 of 26 July 2019 relating to the unemployment insurance system, published in the Official Journal on 28 July 2019, and entered into force on 29 July 2019 (*'Décret n° 2019-797 du 26 juillet 2019 relatif au régime d'assurance chômage'*).

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.

#### **Automatic entry into force of the remaining measures once economic conditions improve**

As explained in the Summary document and in Annex 1, Article 1 of the Order of 18 November 2021 fixing the date at which the provisions of Articles 7-1 and 7-2 of the modified Decree of 14 April 2020 on emergency measures for replacement income mentioned in Article L. 5421-2 of the Labour Code cease to apply (see evidence iv) notes that the criteria for the improvement of labour market conditions are fulfilled and sets the date for the entry into force of the two measures below (restriction of access to benefits and sliding scale for reducing benefits for high income recipients) to 1 December 2021. This observation is based on the data contained in the annex of the order of 18 November 2021 (see evidence iv) confirming that the criteria set to measure the improvement of the labour market conditions (see above) were met at the end of September 2021.

#### **Restriction of conditions of access to benefits (six months instead of four)**

Article 3 of Decree 2019-797 of 26 July 2019 relating to the unemployment insurance system (see evidence v) sets the contribution period (*'durée d'affiliation'*) to at least 130 working days or 910 hours worked, that is equivalent to 6 months, instead of 4 months previously, thereby setting stricter conditions of access to unemployment benefits. The application of this new provision was suspended by articles 7-1 and 7-2 of the Decree of 14 April 2020 as modified by Article 4 of Decree 2021-346 of 30 March 2021 (see evidence iii) that extended the reference period used to assess the contribution period until labour market conditions improve. These stricter conditions of access to unemployment benefits came into force on 1 December 2021, as per order of 18 November 2021 (see evidence iv) when Articles 7-1 and 7-2 ceased to apply.

#### **Sliding scale for reducing benefits awarded to high-income recipients after six months of compensation.**

As already assessed in relation to milestone 8-6 in the context of the first payment request, the sliding scale for reducing benefits awarded to high-income recipients after six months of compensation is described in Article 17bis of Decree 2019-797 of 26 July 2019 and was suspended



by Decree 2021-346 on 30 March 2021 until conditions linked to improved labour market conditions are met. The measure came into force on 1 December 2021 as per order of 18 November 2021 fixing the date at which the provisions of Articles 7-1 and 7-2 of the modified Decree of 14 April 2020 on emergency measures for replacement income mentioned in Article L. 5421-2 of the Labour Code cease to apply (see evidence iv).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-8	Related Measure: C8.I1 FNE-Training		
<b>Name of the Target:</b> Trainings provided in the context of FNE-Formation training pathways			
<b>Quantitative Indicator:</b> Number of recipients	<b>Baseline:</b> 0	<b>Target:</b> 400 000	<b>Time:</b> Q4 2022
<b>Context:</b>  Target 8-8 is part of investment C8.I1 (FNE-Training) that finances the training of employees of companies benefitting from short-time work scheme, including from the “longer-term short time work scheme” in 2020 (starting from 1 March of that year) and 2021, with levels of support ranging from 40% to 100% depending on the size of the enterprise and the timeframe during which the training was initiated.  Target 8-8 is the only target of this investment and requires 400 000 trainings and other actions such as validation of acquis, and/or competence assessment.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:  <div><div>i.</div><div>Summary document duly justifying how the target was satisfactory fulfilled.</div></div> <div><div>ii.</div><div>Annex I : “List of training actions” provided by the Ministry of Labour on the basis of data collected by the skills operator in charge of the scheme (OPCOs), The list includes trainees IDs (column B), name of company and its SIRET number (columns F and G), title of the formation (column N), type of action (column O), and starting date of the contract (column Q).</div></div> In the context of the sampling analysis, additional evidence was provided for a sample of 60 units including: <div><div>i.</div><div>Certificates of completion (template from the Ministry of Labour) signed by the employer for each month of training completed by the employee, necessary to the professional transition.</div></div> <div><div>ii.</div><div>The letter of APEC (<i>Association pour l’emploi des cadres</i>) certifying of the financing of the formation.</div></div> <div><div>iii.</div><div>Payment history of each employee (<i>bordereau de collecte de l’entreprise récapitulatif du versement des contributions annuelles salaires</i>).</div></div> <div><div>iv.</div><div>Evidence of short-time work scheme and longer-term short-time work scheme; <i>décision</i></div></div>			

*d'activité partielle (AP) or homologation d'activité partielle de longue durée de l'entreprise (APLD).*

- v. Request of subsidy made by the company and approved by the institution in charge (*lettre de demande de subvention officielle - Ministère du Travail*).

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**400 000 trainings provided in the context of FNE-Formation training pathways.**

France has provided an Annex I which includes a list of 454 638 FNE trainings (overachievement) between 1 March 2020 and 31 December 2021, specifying the title of the training, the type of action, the names of the enterprises, and the dates of start of the training.

**Furthermore, in line with the description of the measure, the target shall finance the training of employees of companies benefitting from short-time work schemes, including from the “longer-term short-time work scheme” in 2020 (starting from 1 March of that year) and 2021.**

The analysis of the pieces of evidence (see evidence v ‘request of subsidy’ and evidence iv ‘AP-APLD’) provided for a sample of 60 units confirmed that each company has received an authorising decision allowing for the financing of training during short-time work scheme in 2020 (from the 1 March of that year) and 2021. In the pieces of evidence provided, each company benefitting from short-time work scheme corresponds to the list of companies indicated in the Annex I (see pieces of evidence iv ‘AP-APLD’ and I ‘Annex I’).

**At least one employee of each company participated in the training action.**

The analysis of the evidence (see evidence i ‘certificates of completion’, ii ‘APEC’, and v ‘request of subsidy’) provided for a sample of 60 units confirmed that at least one employee of each company has attended an FNE training, with the exception of one unit for which the training has been cancelled (unit 16) and one unit for which the employee did not participate in the training (unit 43), which do not put in question the achievement of the target. Indeed, a statistical analysis was carried out taking into account the overachievement of the target of 454 638 files for a required 400 000. The conclusion is that there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled.

Furthermore, the official request of subsidy (see evidence v “request of subsidy”) and/or the letter of Association for employment of executives (*Association pour l'emploi des cadres (APEC)*) (see evidence ii “APEC”) indicate the number of employees involved in the training, corresponding to the number of certificates of realisation (see evidence I) received per company. Furthermore, for a sample of 60 units, each certificate of realisation issued by the employer has indicated the type of action and the title of the training (sector of training) corresponding to the ones provided in the Annex I (see evidence I).

**The companies received a level of support ranging from 40% to 100% depending on their size.**

This scheme was created during the COVID pandemic to support the economic recovery of companies. Therefore, the level of support has been adjusted several times, in particular for large companies, to gradually incentivise companies to resume activities: several support schemes co-existed according to (i) the associated state aid scheme, (ii) the size of the company and (iii) the

ground for eligibility for the FNE. The evidence provided by France confirmed that, depending on the situation, support rates ranged from 40 % to 100 % (see instructions of the Ministry of Labour of 9 April 2020; 9 November 2020; 27 January 2021; 7 September 2021).

For a sample of 60 units, each authorising decision received (see evidence iv 'AP-APLD'), allowing for the financing of training during short-time work scheme, indicates the name and size of the enterprise corresponding to the information provided in the Annex I. For each company, the subsidy application (see evidence v 'request of subsidy') has also been provided as evidence to indicate the percentage of support requested and the letter of APEC (see evidence ii) to indicate the percentage of support allowed by the issuing authority (OPCO). For a sample 60 units, each support rate ranged from 40% to 100%. Furthermore, regarding the financing of the professional transition, France has provided the payment history (see evidence iii 'payment history') for each sample unit, therefore confirming that the financing of the transition effectively took place.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

Number: 8-11	Related Measure: C8.I4 Hiring subsidy for professionalisation contracts		
Name of the Target: Hiring subsidies paid for professionalisation on contracts			
Quantitative Indicator: Number of recipients	Baseline: 0	Target: 100 000	Time: Q1 2022
<p><b>Context:</b></p> <p>Investment C8.I4 (hiring subsidies for professionalisation contracts) aims to finance hiring subsidies for employers recruiting employees who are preparing a diploma, certificate or professional qualification referred to in a national classification of certificates.</p> <p>Target 8-11 is the only target of this investment. It requires 100 000 professionalisation contracts for which the exceptional professionalisation subsidy has been paid to the employer.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. Summary document duly justifying how the target was satisfactorily fulfilled and including links to the underlying evidence.</li><li>ii. Annex 1: a “list of all professionalisation contracts having benefitted of hiring subsidies” provided by the Agency for Services and Payment (ASP) operating the scheme. The list includes the contract number (column C), the date of conclusion of the contract (column D), the dates of the start and the end of the contract (columns E and F), the amount of the first payment (column R), the birth date of the employee (column O), and the SIRET number of the companies (column I) allowing to identify the company.</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>iii. Annex 2: an informative note on the national classification of certificates (CNIS) by the General Delegation for Employment and Professional Training of the Ministry of Labour.</li></ul> <p><b>In the context of the sampling analysis, additional evidence was provided for a sample of 60 units including:</b></p>			

- iv. The work contract (*CERFA - centre d'enregistrement et de révision des formulaires administratifs*) signed by both the employer and the employee
- v. A screenshot of the information system of the Services and Payment Agency (*ASP - 'Agence des services et de paiement'*) displaying the month by month payment history
- vi. For certain projects, an additional document was provided (*déclaration sur l'honneur de l'entreprise à percevoir l'aide exceptionnelle aux contrats en alternance*).

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**100 000 professionalisation contracts for which the exceptional professionalisation subsidy has been paid to the employer.**

France has provided an Annex I which includes a list of 110 575 hiring subsidies that have been financed until 31 January 2023 (overachievement), including the dates of conclusion of the contracts, the amount of the first payment, and the SIRET number of the companies allowing to identify them. The analysis of the 60 samples selected confirms that the information contained in Annex 1 is valid and that all contracts of professionalisation have been supported by subsidies (see evidence iv 'work contract CERFA' and evidence v 'payment history'). Furthermore, the information contained in the contract of professionalisation (see evidence iv "cerfa"), as well as the payment history correspond to the information provided in the Annex I (see evidence ii 'annex I').

**Each employee is preparing a diploma, certificate, or professional qualification referred to in a national classification.**

The analysis of the evidence provided for a sample of 60 units confirmed that all the qualifications, indicated by a code and a title in the contract of professionalisation (see evidence iv "cerfa"), for each employee correspond to the code and the title indicated in the official French national classification of certifications (CNIS) (see evidence iii).

**In line with the description of the measure, the age of the employee must be from under 18 to 30.**

For a sample of 60 units, each birth date indicated in the contract of professionalisation (see evidence iv "cerfa") corresponds to the birth dates included in the Annex I, all ranging from under 18 to a maximum of 30-year-old.

**The subsidies allocated must be below 8 000 EUR for employees between 18-30, and below EUR 5 000 for under 18.**

The age of the employee was analysed both at the time of signature of the contract and at the time the contract was executed. This allowed us to analyse if the right amount of subsidy had been provided to the employee, according to their age, including when the employee turned 18 during the duration of the contract, in which case the subsidy was increased from a monthly rate of EUR 416.66 (corresponding to EUR 5 000 a year) to EUR 666.66 (corresponding to EUR 8 000 a year). For all samples, the age of the recipient at the time of the signature and during the execution of the contract was in line with the amount of subsidy that they were paid.

**These amounts correspond to 50% of the salary of under 18; 65% of the salary 18-20; 50% of the salary 21-30.**

The [government page](#) dated 25 August 2020 dedicated to the hiring subsidy programme indicates that "the subsidy covers approximately half of the salary of workers aged below 18, more than 65% of the salary of workers aged 18 to 20, and approximately half of the salary of those aged 21 to 29". Those rates are calculated on the basis of statutory remuneration floors for work-study contracts

(‘alternants’). They are approximate because they may vary in function of the actual remuneration applied by the employer.

**Commission Preliminary Assessment:** Satisfactorily fulfilled.

Number: 8-16	Related Measure C8.I9 State-backed guarantees for student loans		
<b>Name of the Target:</b> Beneficiaries of State-backed guaranteed student loans			
<b>Quantitative Indicator:</b> Number of beneficiaries	<b>Baseline:</b> 0	<b>Target:</b> 36 000	<b>Time:</b> Q4 2022
<b>Context:</b> Investment C8.I9 “State-backed guarantees for student loans” finances state-backed guarantees for study loans for students under 28 years who are unable to provide a personal guarantee. The maximum amount borrowed is EUR 20 000 for a minimum of two years.  Target 8-16 is the only target of this investment and requires that 36 000 students benefit from state back guarantees for student loans.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:  <div><div>i.</div><div>Summary document duly justifying how the target was satisfactorily fulfilled.</div></div> <div><div>ii.</div><div>Annex 1: List of student loans compiled by the Ministry of Higher Education, Research and Innovation on the basis of data provided by BPIFrance who manages the scheme: Excel file including the contract number (column P), the date of birth of the student (column D), the date the loan was granted (column E), the duration of the loan, in months (column G), and the amount of the loan granted (column I).</div></div> The authorities also provided: <div><div>iii.</div><div>Annex 2: Amendment 13, signed on 15 February 2021, to the agreement between the State, represented by the Minister in charge of higher education, research and innovation, and BPIFrance concerning the State-backed guarantees for student loans of 23 July 2008 (<i>‘Avenant numéro 13 à la convention entre l’Etat et BPIFrance relative au Fonds de Garantie “Prêts Etudiants” du 23 juillet 2008’</i>).</div></div> <div><div>iv.</div><div>Annex 3: Amendment 12, signed on 30 June 2020, to the agreement between the State, represented by the Minister in charge of higher education, research and innovation, and BPIFrance concerning the State-backed guarantees for student loans of 23 July 2008 (<i>‘Avenant numéro 12 à la convention entre l’Etat et BPIFrance relative au Fonds de Garantie “Prêts Etudiants” du 23 juillet 2008’</i>).</div></div> <div><div>v.</div><div>Annex 4: Agreement between the State, represented by the Minister in charge of higher education, research and innovation, and OSEO garantie, S.A. concerning the State-backed guarantees for student loans of 23 July 2008 (<i>‘Convention relative au Fonds de Garantie “Prêts Etudiants” du 23 juillet 2008’</i>).</div></div>			

For a random sample of 60 student loans, the authorities also provided:

- vi. Copies of the student loan contracts signed by the bank and the recipient, showing the relevant information concerning the loan and the recipient, including the age of the student, the type of loan and the reference to the State guarantee managed by BPIFrance, the date at which the loan was signed, thereby unlocking the funds within 8 to 15 days depending on the bank.
- vii. Repayment schedule of the loan, indicating at which date the funds started being disbursed.

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**36 000 beneficiaries of state-guaranteed student loans,**

France provided a list of 36 669 student loans (see evidence ii) with information on the contract number of the loan, the age of the recipient, date of the authorisation, the authorisation and the duration of the loan. 36 519 loans were granted after amendment 13 to the agreement between the State and BPIFrance was signed, they are the basis of the analysis presented below.

The analysis of the 60 randomly selected student loans confirms that all contracts referred to the State guarantee for student loans managed by BPIFrance allowing us to conclude that the information contained in the list of recipients (see evidence ii) does refer to student loans granted in the context of the scheme supported by the RRF.

**Following the amendment of the agreement with Bpifrance increasing the State provision.**

Amendment 13 to the agreement between the State and BPIFrance concerning the State-backed guarantees for student loans (see evidence iii) was signed on 15 February 2021 by both parties. Amendment 13 (see evidence iii) increases the State provision from EUR 3 840 000 in 2020 (amendment 12, see evidence iv) to EUR 16 000 000 in 2021 and 2022. Article 1 of amendment 13 (see evidence iii) modifies Article 2.3 of the original 2008 agreement (see evidence v) and increases the maximum amount of the loans covered by the State Guarantee.

**Furthermore, in line with the description of the measure, the student loans backed by State guarantees are meant to help students under 28 years of age to finance their studies.**

The recipients of the student loans granted after 15 February 2021 were all under 28 years of age at the time of the notification of the loan (list of recipients, see evidence ii, column D – date of birth and column E - date of notification of the loan). The analysis of the 60 randomly selected files confirmed that the date of birth of the student indicated on the contract corresponded to the information in the list of student loans (see evidence ii) and that all students were under 28 at the time the contract was signed.

**The loans were meant to help student who are unable to provide a personal guarantee to access a credit necessary to the financing of their studies.**

Article 1 of amendment 13 signed on 15 February 2021 (see evidence iii) of the 2008 agreement between the State and BPIFrance concerning the State-backed guarantees for student loans (see evidence v) specifies that the student loans should not be accompanied by the establishment of a guarantee or other security of any nature whatsoever other than the State Guarantee.

**The amounts borrowed were all below or equal to EUR 20 000:**

Amendment 13 of the agreement between the State and BPIFrance concerning the State-backed guarantees for student loans specifies that the State guarantee applies to loans that cannot exceed 20 000 (see evidence iii, Article 1, point 2.3). None of the student loans signed after 15 February 2021 included in the list of recipients (see evidence ii, column I - *Montant du prêt*) exceeded 20 000 euros. The amounts of the loans of the 60 randomly selected student loan contracts reviewed in the sample (see evidence vi) corresponded to the information in the list of student loans (see evidence ii) and were all below or equal to EUR 20 000.

**The loans covered a minimum of two years.**

The agreement between the State and BPIFrance concerning the State-backed guarantees for student loans specifies that the State guarantee applies to loans with a minimum duration of two years (see Annex 2, Article 1, point 2.3). In addition, all the student loans signed after 15 February 2021 listed in Annex 1 (column G - *Durée du prêt (mois)*) had a duration of 24 months or more. The duration of the loans of the 60 randomly selected student loan contracts reviewed in the sample (see evidence vi) corresponded to the information in the list of student loans (see evidence ii) and covered 24 months or more.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-17	Related Measure: C8.I10 Personalised pathways for youth aged 16-18 who do not observe training requirements		
<b>Name of the Target:</b> Youth entering the AFPA activities			
<b>Quantitative Indicator:</b> Number of youths	<b>Baseline:</b> 0	<b>Target:</b> 10 500	<b>Time:</b> Q1 2022
<b>Context:</b> <p>Investment C8.I10 “Personalised pathways for youth aged 16-18 who do not observe training requirements” offers short term support to early school leavers, notably given their extra difficulties following the COVID-19 crisis and resulting lockdowns, with an aim of helping address in the longer term the exclusion of low-skilled youth from the labour market.</p> <p>It finances tailored support to youth (16-18 years old) who do not observe training requirements. The programme (called "<i>promo 16-18</i>") provided by the national Agency for Professional Training of Adults (<i>Agence nationale pour la formation professionnelle des adultes, hereinafter referred to as “AFPA”</i>) is expected to last 13 weeks on average and is constructed to provide youth with the opportunity to work on soft skills, discover career options and receive comprehensive support.</p> <p>Target 8-17 is the only target for this investment. It requires that 10 500 youth aged 16-18 enter the first phase of the personalised pathway offered by AFPA by the end of Q1 2022.</p>			
<b>Evidence Provided:</b>			



In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. Summary document duly justifying how the target was satisfactorily fulfilled.
- ii. Annex 1: list of youth having entered AFPA activities, compiled by the national Agency for Professional Training of Adults (AFPA) on the basis of the information system PANDA. The list includes details about: the ID of the participant (column A), the date of birth of the participant (column H), the starting date (column E), and the end date (column F).

The authorities also provided:

- iii. Annex 2: joint agreement between the State, represented by the General Delegation for Employment and Professional Training of the Ministry of Labour and AFPA on “*promo 16-18*”, signed on 8 September 2020 (*convention Etat-agence nationale pour la formation des adultes relative a “la promo 16-18”*) setting the terms and conditions under which AFPA will operate the scheme.
- iv. Annex 3: amendment to the joint agreement between the Minister of economy and the Minister of labour on the management of the funds of the French recovery plan “*France Relance*”, signed on 4 August 2021 (*Avenant à la convention de delegation de gestion des credits du Plan France Relance entre le Ministre de l’Economie, des finances et de la relance et le Ministre du travail, de l’emploi et de l’insertion*’), increasing the amounts available for the operation of the scheme.

For a sample of 60 units requested on 10 August 2023, the authorities also provided:

- v. The prescription form (i.e. registration of the youth into the “*PROMO 16-18*” programme).
- vi. The participant’s attendance sheet specifying the dates of the youth’s participation in the programme “*PROMO 16-18*”.
- vii. A screenshot of the AFPA information system (SI Panda) showing the participant’s date of birth.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **Number of youths entering the first phase of AFPA personalised pathway activities.**

The French authorities provided a list of 12 672 files of young people having entered the first phase of the personalised pathway offered by AFPA (see evidence ii).

According to this file, all participants

- were 16 or 17 years old at the date of entry into the scheme [based on column H (age of participant) and column E (starting date)].
- entered the scheme after 1 February 2020, and before July 2023 (that is before France submitted its payment request).

As specified in Article 2.1 of the joint agreement between the State and AFPA on “*promo 16-18*”, which sets the terms and conditions under which AFPA operates the scheme (see evidence iii), the **first phase of the programme** is considered to have been completed after ten half-days of training, i.e. five full days during which the involvement of the young person and his/her parents or legal representative is formalised at the end of this first week in the AFPA centre.

**Furthermore, in line with the description of the measure, the French authorities provided**

**evidence that the programme "promo 16-18" has been designed to provide tailored support to minors who do not observe training requirements and offers an individual solution based on the youth's needs and professional project.**

The joint agreement between the State and the national agency for the professional training of adults (AFPA) on "promo 16-18" (see evidence iii) sets the terms and conditions under which AFPA will operate the scheme.

- Article 1 of the joint agreement entrusts AFPA with the deployment of the recovery plan programme dedicated to youth, aged between 16 and 18 years of age, affected by the implementation of the compulsory training requirement at the start of 2020. These young people can be early school leavers or graduates not in employment, education or training.
- Article 2.1 of the joint agreement describes the construction of the programme in four phases, including the possibility for the youth to work on soft skills (also in-group activities), to discover diverse career options related to different types of jobs and to benefit from a wide array of support (social, sports, cultural, digital tools, etc.). Article 2.1 also specifies that each young person enrolled in the programme benefits from individual support throughout the programme (appointment of a 'referent principal de parcours').

The evidence provided for a sample of 60 units confirmed that more than 10 500 youth (aged 16-18) entered the first phase of the personalised pathway offered by AFPA by December 2022. The evidence provided confirmed that all participants were 16 or 17 (screenshot of AFPA's information system – see evidence vii), the registration of the youth into the "Promo 16-18" programme (prescription form – see evidence v) and the entrance into the first phase of AFPA activities (attendance sheet – see evidence vi).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-18	Related Measure: C8.I11 Creation of places in higher education		
<b>Name of the Target:</b> Places in higher education created			
<b>Quantitative Indicator:</b> Number of places created in higher education	<b>Baseline:</b> 0	<b>Target:</b> 30 000	<b>Time:</b> Q4 2022
<b>Context:</b>  Investment C8.I11 “Creation of places in higher education” finances the creation of additional places in higher education, notably in short and vocational trainings; in bachelor, nursing schools and in paramedical training. The aim is to provide training solutions for the exceptionally high number of students that started higher education in autumn 2020, and to increase the training offer in economic sectors in high demand.  Target 8-18 is the only target of this investment and requires that 30 000 places are created in higher education by Q4 2022.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:  <div><div>i.</div><div>A summary document duly justifying the satisfactory fulfilment of the target.</div><div>ii.</div><div>Annex 1: “list of recipients” indicating<div><div>a.</div><div>the number of places opened in 2019 and 2020 for higher education</div></div></div></div>			

establishments in other areas than medical care (tab '*Liste bénéficiaires hors IFSI*') extracted from the SISE database managed by the Ministry of Higher Education, Research and Inclusion, and

- b. the number of places created in 2020, 2021 and 2022 for higher education institutes in the area of medical care (tab '*liste bénéficiaires IFSI*') compiled by the Ministry of Solidarities and Health on the basis of the information reported by the regional authorities on the implementation of the programme.

The authorities also provided:

- iii. Annex 2: joint agreement between the Minister of Economy and the Minister of Solidarities and Health on delegating the management of the funds of the French recovery plan "*France Relance*" signed on 16 April 2021 (*Convention entre le Ministre de l'Economie, des Finances et de la Relance et le Ministre des solidarités et de la santé relative à la délégation de gestion et à l'utilisation des crédits du Programme "Cohésion" du Plan de Relance*).
- iv. Annexes 3a to 3c: joint agreements between the Ministry of Solidarities and Health and the Regions on the use of the funds of the French recovery plan "*France Relance*" signed in 2021 (*Conventions entre le Ministère des solidarités et de la santé et la Région XX relative à l'utilisation des crédits du Programme "Cohésion" du Plan de Relance*).
- v. Annex 4: executive order of 18 April 2019 stating the number of students to admit in the first year of nursing institute for the year 2019-2020, per region (*Arrêté du 18 avril 2019 fixant le nombre d'étudiants à admettre en première année d'études préparatoires aux diplômes d'Etat d'infirmier, de masseur-kinésithérapeute et de psychomotricien au titre de l'année universitaire 2019-2020*).
- vi. Annex 5: executive Order of 3 April 2020 amending executive order of 18 April 2019 stating the number of students to admit in the first year of nursing institute for the year 2019-2020 (*Arrêté du 3 avril 2020 modifiant l'arrêté du 18 avril 2019*).
- vii. Annex 6: executive Order of 8 April 2020 stating the number of students to admit in the first year of preparatory school to become nurse for the year 2020-2021 (*Arrêté du 8 avril 2020 fixant au titre de l'année universitaire 2020-2021 le nombre d'étudiants à admettre en première année d'études préparatoires au diplôme d'Etat d'infirmier*).
- viii. Annex 7: executive Order of 18 January 2021 amending executive order of 8 April 2020 stating the number of students to admit in the first year of nursing institute for the year 2020-2021 (*Arrêté du 18 janvier 2021 modifiant l'arrêté du 8 avril 2020*).
- ix. Annex 8: executive Order of 13 July 2021 stating the number of students to admit in the first year of preparatory school to become nurse for the years 2021-2022 and 2022-2023 (*Arrêté du 13 juillet 2021 fixant le nombre d'étudiants à admettre en première année d'études préparatoires aux diplômes d'Etat d'infirmier au titre des années universitaires 2021-2022 et 2022-2023*).
- x. Annexes 9a-9c: not relevant.
- xi. Annex 10: not relevant.

For a sample of 70 units (including 57 "classes" defined as a given university, type of degree, academic field, and level in the general higher education system and 13 "training institutions" specialised in nursing and medical care), French authorities provided further evidence of the number of places created between 2019 (base year) and 2022.

- xii. List of unique student identifiers extracted from the SISE database for the sampled "classes" in general higher education for the years 2019 (base year) and 2020.
- xiii. Executive Orders setting the final number of places authorised for each year from 2019 to

2022 for the 13 sampled “training institutions” specialised in nursing and medical care.

xiv. A table indicating the number of places authorised and effectively created in each “medical care training institution” of the Region for the years 2019, 2020, 2021 and 2022. As per Annex 2 of the joint agreements between the State and the Regions (see evidence iv), this table is certified by the regional authority and is the one allowing the balance of the State subsidy to be transferred to the Region, upon reaching its objectives.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **30 000 places in higher education created**

According to the “list of recipients” (see evidence ii), 36 670 additional places were created in higher education between the base year (academic year 2019-2020) and academic year 2022-2023. This figure includes 31 512 places created between September 2019 and September 2020 in higher education other than medical care (tab ‘*synthèse places hors IFSI*’), and 5 158 places created in establishments preparing students to medical care occupations between September 2019 and September 2022 (tab ‘*liste bénéficiaires IFSI*’).

#### **as reported through the ‘student monitoring information system’ survey conducted by the sub-directorate for IT Systems and Statistical Studies of the Ministry of Higher Education and Research (MESR) (“le Système d’Information sur le Suivi de l’Etudiant – SISE” survey)**

The source data used to calculate the number of places created in higher education establishments outside of medical care was extracted by the SISE. For a sample of “classes” corresponding to a given university, type of degree prepared, academic field and level, France provided the list of unique identifiers of the students enrolled in these classes in 2019 and 2020, extracted from the SISE database. These unique student identifiers were directly extracted from the SISE database by the administrator in charge of the database in the sub-directorate for IT systems and statistical studies of the Ministry of higher education and Research, during an on-the-spot visit of the Commission services. The analysis of the sample confirms the headcounts reported in in the “list of recipients” (see evidence ii – tab ‘*Liste bénéficiaires hors IFSI*’) for the randomly selected “classes” outside of the medical care training institutions.

The evidence provided for the creation of places in medical care training institutions (‘IFSI’) was not extracted from the SISE database, as these institutions depend on the Ministry of Solidarities and Health and are outside the scope of the survey. The method used to count the number of places created is defined in Annex 2 of the joint agreements between the Ministry of solidarities and health and the Regions (see evidence iv), setting out the details of the implementation the “Cohesion” pillar of France Relance. These joint agreements (see evidence iv) set objectives for the creation of new places for the period 2020 to 2022 in each Region, including for the training of nurses, which are in the scope of “higher education” as per the description of the measure. The subsidies allocated to each Region are paid upon proof of the achievement of these objectives over the three years 2020, 2021 and 2022. The pieces of evidence provided by the French authorities for the IFSI selected in the sample are those that each Region has to produce in order to receive the planned subsidy, as set out in Annex 2 of the joint agreements (see evidence iv). These are “executive orders” setting the final number of places authorised for each year from 2019 to 2022 in each “medical care training institution” of the Region (see evidence xiii), and a “certified table” indicating the number of places authorised and effectively created in each “medical care training institution” of the Region for the years 2019, 2020, 2021 and 2022 (see evidence xiv). The analysis of this evidence provided for the “medical care training institutions” (IFSI) selected in the sample confirms the headcounts reported in the list of higher education establishments in the medical care sector (see evidence ii - tab ‘*liste bénéficiaires IFSI*’).

**Furthermore, in line with the description of the measure, additional training places will be created in higher education [...] in short and vocational trainings; in bachelor, nursing schools and in paramedical training.**

All degrees listed in the “list of recipients” (see evidence ii - tab ‘*places hors IFSI*’) are higher education degrees. All places were created in the first three years of general and vocational bachelor's degrees, in short university technical diplomas (DUT), in short vocational scientific and technical degrees, in the first years of industrial engineering degrees, in short state degrees for specialised medical care, or in generalist ground level medical care degrees. All places created in “medical care training institutions” (IFSI) reported in the list of recipients (see evidence ii – tab ‘*liste bénéficiaires IFSI*’) corresponded to the preparation of a nursing degree (*‘infirmier’*). The information provided for all classes (see evidence xii) and “medical care training institutions” (see evidence xiii and xiv) selected in the sample confirm the fields of study indicated in the “list of recipients” (see evidence ii).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-20	Related Measure: C8.I13 “Personalised guidance towards employment and autonomy” PACEA and Youth guarantee		
<b>Name of the Target:</b> Recipients of a PACEA benefit or of a youth guarantee benefit in 2021			
<b>Quantitative Indicator:</b> Number of recipients	<b>Baseline:</b> 0	<b>Target:</b> 130 000	<b>Time:</b> Q1 2022
<b>Context:</b> Investment C8.I13 (“Personalised guidance towards employment and autonomy” PACEA and Youth guarantee) finances the subsidies paid to young people aged 16 to 25 facing integration difficulties and participating in dedicated active inclusion programmes.  Target 8-20 is the only target of this investment and requires 130 000 young people having received a PACEA benefit, or a youth guarantee benefit in 2021.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:  i. A summary document duly justifying the satisfactory fulfilment of the target. ii. Annex 1: list of recipients of a PACEA or Youth Guarantee benefit prepared by the General Delegation for Employment and Professional Training of the Ministry of Labour. Excel file including the youth ID (column A), the type of entry (column G), the expected duration of the support (columns H to L), and the file number (column E).  The French authorities also provided:  ii. Annex 2: Articles R131-10 to R131-14 of the labour code concerning the PACEA programme ( <i>Code du travail, version en vigueur au 31 octobre 2022</i> ).			

- iii. Annex 3: Article R131-16 of the labour code concerning the Youth Guarantee (*Code du travail, Article R131-16, version en vigueur au 1 janvier 2017 au 29 mai 2021*).
- iv. Annex 4: Modified Article R131-16 of the labour code concerning the Youth Guarantee (*Code du travail, Article R131-16, version en vigueur au 1 octobre 2021 au 1 mars 2022*).
- v. [Link](#) to the version of the labour code in force in 2021 that notably includes articles [R131-18](#) to [R131-25](#) relating to the monthly subsidy attached to the Youth Guarantee.

For a sample of 60 randomly selected recipients, the authorities also provided:

- vi. The PACEA contract (*contrat du parcours d'accompagnement contractualisé vers l'emploi et l'autonomie*) signed by the recipient and the social services (*mission locale*) in charge of operating the programme. This contract contains information on the date of birth of the recipient, the date the contract was signed, the duration of the contract, and the appointment of a counsellor dedicated to individual support. The contract also indicates whether the youth is a recipient of the youth guarantee.
- vii. A screen shot of the information system of the payment agency (*SI NOE de l'Agence des Services et Paiements*) showing the payments made to the recipient.

#### Analysis:

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **130 000 youth having received a PACEA benefit, or a youth guarantee benefit in 2021.**

In 2021, 215 805 young people received at least one payment corresponding to a PACEA benefit or a youth guarantee benefit, as per the number of valid records (see evidence ii, tab '*liste consolidée*'). We also checked that at least one payment for a PACEA or a youth guarantee benefit was made in 2021 for a sample of 60 randomly selected recipients (see evidence vii).

#### **Furthermore, in line with the description of the measure, the PACEA and youth guarantee programmes will support young people aged 16 to 25 facing integration difficulties.**

All young people listed in Annex 1 (see evidence ii) were between 16 and 25 years old at the date of start of the contract. All young people enrolled in a PACEA or Youth Guarantee programme have been referred to the programme by social services (*mission locale*) following an individual diagnosis assessing the integration difficulties of the youth. These two aspects (age, and referral by social services) were also verified for a sample of 60 randomly selected recipients (see evidence vi).

#### **Furthermore, in line with the description of the measure, the PACEA programme includes an initial diagnosis that helps identify the needs and expectations of each youth, followed by phases of individual support of varied duration, up to a maximum of 24 consecutive months.**

Articles R5131-1 to R5131-26 of the labour code define the right for young people to receive individualised support towards employment. In this context, Articles R5131-10 to R5131-14 of the labour code (see evidence iii) define the elements of the PACEA programme (a contract-based pathway towards employment and autonomy) which are in line with the requirement of the description above. Article R5131-10 notably sets that the initial diagnostic should help identify the youth situation, expectations and needs. Articles R5131-11 to R5131-14 define the content of the different phases of individual support that form the contract-based pathway for a total duration



of up to 24 months. The information contained in the list of recipients (see evidence ii) confirms that none of the PACEA contracts signed exceed 24 months. The analysis of the PACEA contracts (see evidence vi) for a random sample of 60 recipients also shows that the contracts do not exceed 24 months, and that a counsellor dedicated to individual support has been assigned to each recipient.

**Furthermore, in line with the description of the measure, the youth guarantee combines a programme of up to 12 months (that may be extended to 18 months), including personalised guidance, with a monthly subsidy to support participation in the programme**

Articles R5131-16 to R5131-25 of the labour code (see evidence iv and v) define the Youth Guarantee as a specific phase of the PACEA programme lasting from 9 to 12 months and can be extended up to 18 months. Under the youth guarantee, young people benefit from the personalised guidance (individual diagnosis and individual support) foreseen under the PACEA programme in a more intensive way, with additional flexibility for the operator ("*missions locales*") to support the young persons in the most precarious situations. Article R5131-20 of the Labour Code (see evidence v - version of the labour code in force in 2021) sets the right to a monthly subsidy attached to the youth guaranty, and Articles R5131-17-19 and Articles R5131-21-25 of the labour code define the modalities of the subsidy (income test, conditionality, etc). The information contained in the list of recipients (see evidence ii) confirms that none of the Youth Guarantee contracts signed exceed 12 months. The analysis of the PACEA contracts (see evidence vi) for a random sample of 60 recipients also shows that the contracts with a Youth Guarantee component do not exceed 12 months, and that a counsellor dedicated to individual support has been assigned to each recipient (PACEA contracts).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-21	Related Measure: C8.I14 Aided contracts for youth (PEC and CIE)		
<b>Name of the Target:</b> Aided contracts			
<b>Quantitative Indicator:</b> Number of recipients	<b>Baseline:</b> 0	<b>Target:</b> 65 000	<b>Time:</b> Q1 2022
<b>Context:</b> <p>Target 8-21 is part of investment C8.I14 (Aided contracts for youth (PEC and CIE)). In the context of the negative impact of the COVID-19 crisis on the labour market for the young people, this investment finances subsidised contracts targeted at youth, in both the non-profit (PEC) and the for-profit sector (Employment Initiative Contracts (CIE)). These subsidised contracts, lasting between 6 and 24 months on an estimate, combine an offer of employment with individualised guidance with an employment counsellor and enhanced access to training for the PEC.</p> <p>Target 8-21 is the only target of this investment and requires 65 000 aided contracts (PEC and CIE combined) concluded in 2020 and 2021.</p>			
<b>Evidence Provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p>			



- i. Summary document duly justifying how the target was satisfactorily fulfilled.
- ii. Annex 1: list of aided contracts extracted from the Information System NOE managed by the Ministry of Labour, including a list of all aided contracts “PEC Jeunes” (tab 3), all aided contracts “CIE Jeunes” (tab 4), specifying the number of weekly hours (column J), the expected contract duration (columns M and N), the age of the recipient at the time of signature (column H), and the names of the companies (column C).

The French authorities also provided:

- iii. The executive Order of 12 February 2021 on the fund for the employment inclusion of people furthest away from the labour market (*circulaire relative au fonds d’inclusion dans l’emploi en faveur des personnes les plus éloignées du marché du travail*).

For a sample of 60 randomly selected recipients, the authorities also provided:

- iv. The work contracts (*centre d’enregistrement et de révision des formulaires administratifs. Hereinafter referred to as “cerfa”*).
- v. History of payment of each employee (*Etat des paiements établis par l’Agence de services et de paiement (ASP) mentionnant le montant d’aide versé à l’employeur*).

#### Analysis:

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **65 000 aided contracts for youth PEC and for youth CIE combined, as reported by Pôle Emploi.**

According to Annex I (see evidence ii), 75 469 aided contracts (combined) have been concluded between 2020 and 2021 (overachievement). The analysis of the 60 randomly selected aided contracts confirms that the information contained in Annex 1 is valid and that all the contracts have been supported by subsidies. Furthermore, the information contained in the contract of professionalisation (see evidence iv), as well as the payment history (see evidence v) correspond to the information provided in the Annex I.

#### **Furthermore, in line with the description of the measure, the subsidised contracts were concluded in 2020 and 2021, lasting between 6 and 24 months.**

The French authorities provided 16 PEC contracts and 44 CIE contracts for a sample of 60 units. The analysis of the evidence provided for a sample of 60 units confirmed that the dates of start and end of contracts indicated in the contract PEC/CIE (see evidence iv) correspond to the dates indicated in the Annex I (see evidence ii). Furthermore, all contracts have been concluded in 2020 and 2021 according to the indication written in the *cerfa* (see evidence iv), corresponding to the information provided in the Annex I (see evidence ii).

#### **Furthermore, in line with the description of the measure, the contract combines an offer for employment with individual guidance with an employment counsellor and enhanced access to training for PEC.**

The analysis of the evidence provided for a sample of 60 units confirmed that all the contracts PEC/CIE (see evidence iv) include a section “*Actions d’accompagnement et formations prévues*”, with the name and function of the tutor in charge of individual guidance. Furthermore, additional types of actions are selected in PEC contracts, attesting of an enhanced access to training for this type of contract.

#### **Furthermore, in line with the description of the measure, the monthly compensation paid to the employer amounts to 65% of the gross minimum wage for the hours worked, with contracts**

**averaging 21.3 hours/week (minimum of 20 hours) (for PEC).**

The executive Order of 12 February 2021 concerning the fund for the employment inclusion of people furthest away from the labour market (*circulaire relative au fonds d'inclusion dans l'emploi en faveur des personnes les plus éloignées du marché du travail*), establishes that the rates of compensation are at 65% for PEC contracts and can amount to 80% for PEC contracts in the overseas territories (DOM) and other specific areas such as the Urban priority areas (*Quartiers prioritaires de la politique de la ville - QPV*) and Rural development areas (*Zone de revitalisation rurale - ZRR*). The evidence provided (see evidence iv) confirmed that the weekly hours indicated in the PEC contract correspond to the weekly hours indicated in the Annex I. It also confirmed the rate of compensation at 65% which can be verified with calculation based on the evidence given (see evidence v 'payment history', and evidence iv indicating the weekly hours and the gross minimum wage). Two units had a compensation amounting to 80% and could be verified as situations of exception for QPV (see [SIG Politique de la Ville](#)).

**Furthermore, in line with the description of the measure, the monthly compensation paid to the employer amounts to 47% of the gross minimum wage, with contracts averaging 30 hours per week (minimum of 20 hours) (for CIE).**

The executive Order of 12 February 2021 concerning the fund for the employment inclusion of people furthest away from the labour market (*circulaire relative au fonds d'inclusion dans l'emploi en faveur des personnes les plus éloignées du marché du travail*), establishes that the rates of compensation are at 47% for CIE contracts. The evidence provided confirmed that the weekly hours indicated in the CIE contract (see evidence iv) correspond to the weekly hours indicated in the Annex I. It also confirmed the percentage of compensation at 47% stated in the contract (see evidence iv, page 2, section "decision de prise en charge" - "taux fixé par l'arrêté du préfet de région »), which can be verified with calculation based on the evidence given (payment history, weekly hours and gross minimum wage).

**Commission Preliminary Assessment:** satisfactorily fulfilled.

<b>Number:</b> 8-26	Related Measure: C8.I18 Modernising and digitalising professional training	
<b>Name of the Milestone:</b> Support for project management assistance to support the design and dissemination of digital content		
<b>Qualitative Indicator:</b> Transmission of deliverables		<b>Time:</b> Q4 2022
<b>Context:</b> The measure aims to provide greater flexibility of professional training by modernising and digitalising it. In particular, it will provide project management assistance to support the design and dissemination of digital content to digitalise and modernise professional training. It will also support the provision of training in “third places” to make training more accessible and attractive, however this element will not be evaluated through the milestones and targets under the measure.  Milestone 8-26 requires that 15 project files are produced to support the design and dissemination of digital content.  Milestone 8-26 is the first step of the implementation of the investment, and it will be followed by target 8-25, related to the number of training bodies declaring having trained participants either in part or fully through distance learning. The investment has a final expected date for implementation in Q4 2025.		

**Evidence provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. Summary document duly justifying how the target was satisfactorily fulfilled.
- ii. Annex 1: List of the 15 projects prepared by the General Delegation for Employment and Professional Training of the Ministry of Labour including the name of the project file (column A), the module title (column B), the sector (column D), the technology (column F) and the learning objectives (column G).
- iii. Annex 2: the completed project file for each of the 15 projects produced by consortia of experts and professionals of the 15 activity sectors covered.
- iv. Annex 3: the methodological guide produced by the General Delegation for Employment and Professional Training in the Ministry of Labour for the scaling-up after the realisation of the pilots.

The authorities also provided:

- v. Document attesting of the payment of the service providers for each of the project files.
- vi. Purchase order detailing the support to be received from one of the service providers.

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.

**Deliverables produced as part of the support for project management assistance aimed at supporting the design and dissemination of digital content (including the 15 project files)**

The French authorities provided 15 project files (see evidence iii) outlining the specifications and process for the development of innovative online training content in 15 sectors and the documents attesting of the payment to the service providers (see evidence v). They also provided the methodological guide developed to share guidance and best practice (see evidence iv), which will allow the potential scale-up of the measure in future. The guide provides an explanation of the steps to digitalise training modules. The project files are embedded in the methodological guide and available through links in the guide, therefore allowing training establishments to use specifications prepared by experts to procure the development of digital training content for professional training.

**Furthermore, in line with the measure description, the measure shall consist in supporting innovative projects to digitalise and modernise professional training, put forward by industry level economic actors or by networks of training providers.**

The analysis of the 15 project files (see evidence iii) confirmed that they propose to use innovative online technologies for the proposed pilot projects, including virtual reality, augmented reality, and serious games amongst others. The methodological guide provided as evidence (see evidence iii, page 18) confirms that both training providers and industry-level economic actors were involved in the development of the project files supported by the measure.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

associations (AT pro) for the financing of professional transitions			
<b>Name of the Target:</b> Professional transitions financed			
<b>Quantitative Indicator:</b> Number of recipients	<b>Baseline:</b> 12 277	<b>Target:</b> 16 177	<b>Time:</b> Q4 2022
<p><b>Context:</b></p> <p>Target 8-27 is part of investment C8.I19 (Additional allocation for the “Pro transitions” associations (AT pro) for the financing of professional transitions). The objective of this investment is to support additional professional transitions by the AT Pro associations responsible for providing the service. The list of jobs which may benefit from financing is expected to focus on the jobs with high employment perspectives in the region, taking into account the priorities set out in France Relance (green transition, digital transformation of the economy).</p> <p>Target 8-27 is the only target of this investment and requires financing of 3900 additional professional transitions by Q4 2022.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. Summary document duly justifying how the target was satisfactorily fulfilled.</li> <li>ii. Annex 1 “list of all professional transitions that started in 2021” compiled by the Ministry of Labour on the basis of data collected by “Transitions Pro”; the social partners’ association in charge of operating the scheme. The list includes the item identifier (column A), the targeted ROME code (column O), the dates of the beginning and end of training (columns I and J), and the amount of the payment (columns S and T).</li> </ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"> <li>iii. Annex 2 (Excel file): list of jobs, identified by their ROME code, with high employment perspectives, by region.</li> <li>iv. Annex 3 (Excel file): list of business sectors for which the employment rate is decreasing, by region.</li> </ul> <p>In the context of the sampling analysis, additional evidence was provided for a sample of 60 units including:</p> <ul style="list-style-type: none"> <li>v. Certificate of completion of each month of training completed by the employee, necessary to the professional transition.</li> <li>vi. Payment history of each employee.</li> <li>vii. Screenshot of the ROME (<i>Répertoire Opérationnel des Métiers et des Emplois</i>) code of the profession the employee is transitioning to.</li> <li>viii. “APE” (<i>Activité Principale Exercée</i>) code to identify the company.</li> <li>ix. RNCP (certified title of competences) to identify the profession the employee is transitioning to.</li> </ul>			
<p><b>Analysis:</b></p> <p>The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.</p>			
<b>Increase in the number (+3 900) of financed professional transitions started in 2021, as compared</b>			

**to the total number of professional transitions financed in 2020.**

The French authorities have provided an Annex I which includes a list of 4 101 records of professional transitions that have been financed in 2021 (overachievement), specifying the title of the profession targeted and the payment allocated to the employee.

The analysis of the evidence provided for a sample of 60 units confirmed that all employees have been attending the training courses of the professional transition from the starting date to the end date. The analysis has been based on the certificates of completion that have been sent for each month of the contract, corresponding to the dates indicated in the Annex I. The sampling units have also confirmed that all professional transitions have started in 2021, corresponding to the dates indicated in the Annex I.

**The list of jobs which may benefit from financing is expected to focus on the jobs with high employment perspectives in the region.**

The French authorities have provided an Annex II which includes a list of professions with high employment perspectives specifying their titles and their respective ROME (*Répertoire Opérationnel des Métiers et des Emplois*) codes. The codes and titles of the professions the employees are transitioning to, have been provided for each contract of professionalisation and corresponded, for each sample, to the codes and titles in the Annex II.

Regarding the financing of the professional transition, the French authorities have provided the payment history for each sample unit, therefore confirming that the financing of the transition effectively took place. Furthermore, the amounts provided in the evidence of payment history "*historique de règlement*" for each unit, confirms the amounts "*montant engagé pédagogique*" indicated in the Annex I.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-28	Related Measure: C8.I20 Top-up of individual learning accounts for digital skills		
<b>Name of the Target:</b> Persons having used their topped-up ILA to sign up to a training for digital skills registered in the national register of professional certifications or in the specific register			
<b>Quantitative Indicator:</b> Number of persons	<b>Baseline:</b> 0	<b>Target:</b> 22 500	<b>Time:</b> Q1 2022
<b>Context:</b> Investment C8.I20 (Top-up of individual learning accounts for digital skills) aims to foster the acquisition of digital skills across the workforce by enabling individuals to use their individual learning account to sign up to trainings focused on digital skills or digital careers.  Target 8-28 is the only target of this investment and requires 22 500 persons having used their topped-up individual learning account (ILA) to sign up to a training for digital skills registered in the national register of professional certifications or in the specific register.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:			

- i. A summary document duly justifying the satisfactory fulfilment of the target.
- ii. Annex 1: list of recipients who have used their topped Individual Learning Account to sign-in to a digital training extracted from the Information System of the '*Compte Personnel de Formation*' (SI-CPF) managed by the '*Caisse des Dépôts et Consignations*' operating the scheme (CPF - '*Compte Personnel de Formation*'). Excel file including the file number (column A), the register to which the certification belongs (column B), the code and title of the certification (columns C to F), the date and duration of the training (columns H to K).
- iii. Annex 2: list of eligible certifications. Excel file including the title (column A) and code (column C) of the digital certifications in the "national register of professional certifications" (tab '*RNCP numérique*') and in the 'specific register' (tab '*RS numérique*').

The authorities also provided:

- iv. Annex 3: The management decision of 18 March 2021 between the State, represented by the Ministry of Labour, General Delegation for Employment and Vocational Training (DGEFP) and the '*Caisse des Dépôts et Consignations*' concerning the top-up to the individual learning account (ILA) for specific purposes (*Convention entre la Caisse des dépôts et consignations et l'Etat relative à la gestion et au financement des abondements en droits complémentaires au compte personnel de formation des titulaires éligibles mis en oeuvre dans le cadre de "France Relance"*).

For a random sample of 60 ILA individual training files, the authorities also provided:

- v. The screen shot of the ILA information system showing the details of the training (tab "*formation*"), including the file number, the code and title of the digital certification prepared, the dates of entry and exit of the training.
- vi. The screen shot of the ILA information system showing the details of the financing plan (tab "*financement*"), including the file number, the total cost of the training, the part of the cost financed using the ILA basic funds, and the part of the cost financed by the exceptional top-up.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **22 500 Persons have used their topped-up ILA to sign up to a training for digital skills**

The list of recipients (see evidence ii) includes 25 444 files of persons having used their top-upped ILA to sign-up to a digital training, specifying the title of the corresponding certification between April 2021 and December 2021. The analysis of the training plans for a sample of 60 units (see evidence v, screenshot "*formation*" and evidence vi, screenshot "*financement*") confirmed that finding.

#### **The training is registered in the national register of professional certifications or in the specific register**

The list of eligible certifications (see evidence iii) includes 119 certifications related to digital skills and digital careers in the "national register of professional certifications" (tab '*RNCP numérique*') and 79 certifications related to digital skills and digital careers in the "specific register" (tab '*RS numérique*'). The codes and titles of the certifications indicated in the list of recipients (evidence ii - column C to F) could all be matched with the codes and titles of the certifications included in the list

of eligible certifications (see evidence iii), either in the “national register of professional certifications” (tab '*RNCP numérique*') or in the 'specific register' (tab '*RS numérique*'). The analysis of the training plans for a sample of 60 units (see evidence v, screenshot “formation”) confirmed that the certifications prepared were all included in the list of eligible certifications (see evidence iii), thereby belonging to the national register of professional certifications (RNCP) or to the specific register (RS).

**Furthermore, in line with the description of the measure, the individual learning accounts were topped up with a EUR 1 000 credit.**

The management decision between the State and the ‘Caisse des Dépôts et Consignations’ concerning the ILA top-up (see evidence iv) signed on 18 March 2021 establishes that the State will finance 100% of the difference between the cost of the training and the amount available on the person’s individual learning account up to EUR 1 000 per training file. This establishes a EUR 1 000 line of credit to be used as a top-up. Annex 1 of the management decision (evidence iv) clarifies that this top-up only applies to digital trainings, as per the established list of certifications (see evidence iii). The analysis of the financing plans of the training actions for a sample of 60 units (see evidence v, screenshot '*financement*') confirms that for 59 units the automatic top-up from the Ministry of labour was reserved (see evidence v - '*abondement automatisé du Ministère - colonne “montant réservé”*') to cover the difference between the cost of the training and the amount available on the person’s individual learning account and did not exceed EUR 1 000, as foreseen by the management decision. For one sampling unit, the amount was reserved but the file was blocked in the system because the training was suspected of being fraudulent.

A statistical analysis was carried out on the 59 sampling units for which the top-up of up to EUR 1 000 had been used to sign-up to a digital training, taking into account the overachievement of the target of 25 444 files for a required 22 500. The conclusion is that there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled.

**Furthermore, in line with the description of the measure, around 400 trainings have been authorised for this use.**

To demonstrate the satisfactory fulfilment of the target, the French authorities selected a subset of 198 trainings (see evidence iii) out of the 400 trainings eligible to the scheme to ensure that the trainings accounted for are fully in line with the description of the measure. Whilst this constitutes a minimal substantive deviation from the description of the measure, the reference to a smaller number of eligible trainings increases the focus of the measure on digital training. As other elements show that the target is met despite this narrower focus, this minimal deviation does not affect the progress towards achieving the investment that the target represents.

**Once the training has been completed, the cost is paid to the training body.**

The analysis of the financing plans of the training actions for a sample of 60 units (screenshot '*financement*') shows that the total cost of the training was disbursed ('*décrémenté*') upon completion for all trainings with an end date.

**Commission Preliminary Assessment:** Satisfactorily fulfilled



<b>Number:</b> 8-31	Related Measure: C8.I22 Increase in the resources of <i>Pôle Emploi</i>		
<b>Name of the Target:</b> Pôle Emploi counsellors recruited			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 1000	<b>Time:</b> Q4 2022
<b>Context:</b> The measure aims to support the recruitment of counsellors on fixed-term contracts to deliver Pôle Emploi services to the additional jobseekers resulting from the economic crisis.  Target 8-31 requires the recruitment of 1 000 counsellors with fixed terms contracts.  Target 8-31 is the only milestone or target of this investment. The investment has a final expected date for implementation in Q4 2022.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:  <ul style="list-style-type: none"><li>i. Summary document duly justifying how the target was satisfactorily fulfilled provided by the General Directorate for Employment and Vocational Training (<i>'Direction Générale de l'Emploi et de la Formation Professionnelle (DGEFP)'</i>).</li><li>ii. Annex 1: List of Pôle Emploi advisors recruited (extracted from the Pôle emploi human resources information system "PeopleSoft", and tagged CDD RFI) showing the Pôle emploi employee number (column A, tab "1326 CDD RFI – 0920 to 1221"); the start and end dates of the contract (columns B and C of the same tab); the address of the Pôle emploi agency (column F of the same tab).</li></ul> In the context of the sampling analysis, evidence was provided for a sample of 60 units, including: <ul style="list-style-type: none"><li>iii. A screenshot from the HR system "PeopleSoft" showing the employee number and the "CDD RFI" code; a screenshot showing the employee number and their pay reference number.</li><li>iv. The first payslip received by the new counsellor showing the employee pay reference number and <i>Pôle Emploi</i> agency.</li><li>v. A screenshot from the HR system showing the start and end or provisional end date of the short-term employment contract.</li><li>vi. In addition, for counsellors re-employed under another contract at the end of the short-term contract supported by the Recovery and Resilience Plan, a screenshot of the Oracle IT system was provided showing the dates of start and end of the multiple contracts.</li></ul> The authorities also provided: <ul style="list-style-type: none"><li>vii. The State, Unédic (<i>association chargée par délégation de service public de la gestion de l'assurance chômage en France, en coopération avec Pôle emploi</i>) and Pôle Emploi tripartite agreement 2019-2022 (<i>'Convention tripartite État-Unédic-Pôle emploi 2019-2022'</i>)</li></ul>			
<b>Analysis:</b> The justification and substantiating evidence provided by the French authorities cover all constitutive elements of the target.  <b>1000 Pôle Emploi counsellors recruited with fixed term contracts.</b> France provided a list of 1 326 <i>Pôle Emploi</i> counsellors recruited and the dates of start and end of			

their fixed term contracts (evidence ii). The verification of a sample of 60 sets of documentation confirmed that 60 *Pôle Emploi* counsellors were recruited, with fixed term contracts, notably by verifying the counsellor's employee reference number, the address of the *Pôle Emploi* agency of employment, and the start and end date of their fixed-term contracts (see evidence iii to vi).

**Furthermore, in line with the description of the measure, these additional recruitments shall enable the Agency to provide guidance to the additional jobseekers resulting from the current economic crisis.**

The fixed-term contracts counsellors were recruited in the aftermath of the economic crisis, therefore providing support for the additional workload resulting from the crisis. The tripartite agreement 2019-2022 (see evidence vii) – signed between the state, *Pôle Emploi* and Unédic (the French association responsible for unemployment benefits in France) and published on the *Pôle Emploi* website – sets out the objectives of *Pôle Emploi* which include the better understanding of jobseekers' needs and the provision of personalised support to help them find employment again, as well as providing support to develop their competences.

**Furthermore, in line with the description of the measure, the additional counsellors shall implement some of the new *Pôle Emploi* services as defined in the tripartite agreement 2019-2022.**

The tripartite agreement (see evidence vii) sets out the three priority objectives for *Pôle Emploi* for 2019 and 2022, including the services to be provided. The provisions of the agreement apply to all *Pôle Emploi* agencies and agents. Agents recruited on fixed-term contracts as part of the French Recovery and Resilience Plan therefore implement the relevant provisions from this agreement, in the same way as other *Pôle Emploi* employees.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 9-11	Related Measure: C9.I3 Renovation of medico-social establishments.		
<b>Name of the Target:</b> Number of nursing homes having benefited from assistance with equipment to improve reception conditions for the elderly ("daily investment") (cumulative)			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 3 000	<b>Time:</b> Q4 2022
<b>Context:</b> <p>The objective of this investment is the renovation, transformation and equipment of the French medico-social sector, in particular Establishments for Dependent Elderly Persons (EHPAD) over the period 2021-2025.</p> <p>Target 9-11 concerns the target of 3 000 homes for the dependent elderly that have received funding under the "daily investments" scheme. This plan is intended to finance investment expenditure, geared towards a quality objective, such as: Prevention, support and care for residents, the quality of life at work of professionals, work and purchase of equipment improving summer comfort, the development of a therapeutic garden, work to reduce energy consumption, routine or light renovation works.</p> <p>Target 9-11 is the first step of the implementation of the investment C9.I3 and it will be followed by target 9-12, related to 32 200 accommodation or housing units built or renovated in EHPAD, or</p>			

homes for the elderly or dependent persons.

**Evidence Provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled, with appropriate links to the underlying evidence.
- ii. Annex 1 Data base of Galis and regional tables, including a list of 3 008 establishments who have benefited from aid for real estate investment.

The authorities also provided:

- iii. Annex 2 - Instruction of 23 April 2021 on the implementation of the investment aid plan for institutions and services for the elderly in 2021, send by CNSA (Caisse Nationale de Solidarité pour l'Autonomie) to the health regional agency.
- iv. Annex 3 - Instruction of 25 April 2022 on the implementation of the investment aid plan for institutions and services for the elderly in 2022.

In the context of the sampling analysis, evidence was provided for a sample of 228 units, including:

- v. Agreement on the daily investment support plan for aged population for each EHPAD.
- vi. Meeting report of the Council for Social Life.
- vii. Notification and/or payment evidence regarding funding under "daily investments".
- viii. Invoices of works performed.
- ix. Aid plan for investment in the medico-social sector (guide to procedures).

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**3 000 homes for the dependent elderly that have received funding under the "daily investments" scheme.**

France has provided an Annex 1 which includes a list of 3 008 establishments that have received funding. To confirm the information includes in this Annex 1 a sampling exercise is requested to verify the evidence listed.

This sample of 228 units was requested due to the very small margin of error as the target was just overachieved by eight units.

The evidence provided for a sample of 228 units confirmed that investments were supported in the medico-social sector for the renovation or reconstruction of the most obsolete EHPAD. The investments included: the construction or renovation of individual rooms and individual sanitary facilities, the development of reception areas, the upgrading of facilities to accessibility standards, and the creation of facilities adapted to people with cognitive disorders.

**In line with the description of the measure, the selection criteria for projects have been defined at national level by a committee involving the *Caisse nationale de solidarité pour l'autonomie (CNSA)* and the Directorate-General for Social Cohesion of the Ministry of Solidarity and Health.**

The evidence submitted by the French authorities (see evidence ix) confirms this requirement.

**Furthermore, in line with the description of the measure, this measure is implemented by the CNSA from 1 January 2021 onwards, which delegates a share of the investment credits over a five-year period to the Regional Health Agencies each year.**

The evidence submitted by the French authorities confirms this requirement for the years 2021 and 2022 (see evidence iii and iv).

**Furthermore, in line with the description of the measure each Regional Health Agency carries out its annual programming after examining the projects submitted by the managers of establishments, in line with the eligibility criteria defined at national level.**

The Agreement on the daily investment support and the meeting report of the Council for Social Life confirm the selection of projects in line with the eligibility criteria (see evidence v).

More specifically, the evidence documents received for the 228 samples (Agreement on the daily investment support, meeting report and notification/payment of fundings) match with the corresponding information on the type of establishment, location, and type of investment provided in the list of establishments submitted by the French authorities.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 9-13</b>	Related Measure: C9.I4 National suicide prevention hotline
<b>Name of the Milestone:</b> Activation of the telephone line service to prevent suicide	
<b>Qualitative Indicator:</b> Hotline activation	<b>Time:</b> Q4 2022
<p><b>Context:</b></p> <p>The measure aims to strengthen social and territorial cohesion in the broad sense. The component includes investments in the health sector across the territory, including modernisation and renovation of infrastructures and the digitalisation of health.</p> <p>Milestone 9-13 concerns the implementation of a national suicide prevention hotline, which is part of the national health strategy 2018-2022 and is one of the actions announced in the 'Ségur de la santé' plan.</p> <p>Milestone 9-13 is the only milestone of this measure.</p>	
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. Summary document duly justifying how the milestone was satisfactorily fulfilled, with appropriate links to the underlying evidence. The document includes:</li> <li>ii. a) the list of call centres created - Annexe 5 - <i>Liste des centres répondants au 30 août 2022</i></li> <li>iii. b) a copy of contracts for the provision of the information system, which are signed between Lille hospital CHU, national operator and the call centers - Annexe 12 (13/13) - <i>Conventions entre le CHU de Lille et chacun des établissements porteurs d'un centre répondant 3114.</i></li> </ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"> <li>iv. Annexe 1 (3/3) - <i>Appel à projets DGS pour identifier l'équipe en charge du déploiement du 2NPS.</i></li> <li>v. Annexe 2 - <i>Circulaire No.DGS/SP4/DGOS/2021/122 du 7 juillet 2021 relative à la mise en place du numéro national de prévention du suicide dans le cadre de la stratégie nationale de prévention du suicide.</i></li> <li>vi. Annexe 3 - <i>Instruction No.DGS/SP4/2022/171 du 6 juillet 2022 actualisant l'instruction n°</i></li> </ul>	

	<i>DGS/SP4/2019/190 du 10 septembre 2019 et relative à la stratégie nationale de prévention du suicide.</i>
vii.	Annexe 4 - <i>Convention de partenariat entre la DGS et le CHU de Lille.</i>
viii.	Annexe 6 - <i>Projet déposé par le CHU de Lille en janvier 2021 ayant remporté l'appel à projets DGS.</i>
ix.	Annexe 7 - <i>Organigramme fonctionnel du pôle national au 12 mai 2022.</i>
x.	Annexe 8 - <i>Communiqué de presse du lancement du numéro.</i>
xi.	Annexe 9 - <i>Communiqué de presse de la journée mondiale de prévention du suicide (10 septembre 2022).</i>
xii.	Annexe 10 - <i>Décret No.2021-1566 du 2 décembre 2021 portant création d'un traitement automatisé de données à caractère personnel dénommé « système d'information du numéro national de prévention du suicide ».</i>
xiii.	Annexe 11 - <i>Convention de partenariat relative à la mise en œuvre du Système d'Information du Numéro National de Prévention du Suicide (SI-2NPS) entre les CHU de Lille et Brest.</i>
xiv.	Annexe 13 - <i>Décision d'autorisation provisoire d'emploi du SI 2NPS.</i>
xv.	Annexe 14 - <i>Décision d'homologation du SI 2NPS du 16 mars 2022.</i>
xvi.	Annexe 15 - <i>Arrêtés de délégation de crédits des ARS Hauts-de-France (centre Lille + fonctionnement pôle national) et Bretagne (SI pour la 1ère année de fonctionnement).</i>
xvii.	Annexe 16 - <i>Exemple de rapport de monitoring.</i>
xviii.	Annexe 17 - <i>Exemple de compte-rendu d'une réunion du comité de pilotage.</i>
xix.	<i>La stratégie nationale de santé 2018-2022 (published 20 December 2017).</i>
xx.	<i>'Séjour de la santé' plan (press dossier July 2020).</i>

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.

#### **Activation of the telephone line service to prevent suicide.**

On 1 October 2021, the national suicide prevention number, 3114, was put into service on the occasion of the 'Assises de la santé mentale' health and psychiatry. The evidence provided includes the selection of the project managers, the decision, and the instruction for the suicide hotline. It includes the press release announcing the launch of the number. In addition, evidence of the usage of the hotline has been provided in the form of a report explaining the use of the hotline and a report of a committee meeting reviewing the hotline usage report. There is a dedicated webpage of the hotline on the internet: <https://3114.fr/>.

**Furthermore, in line with the description of the measure, the implementation of a national suicide prevention hotline is part of the national health strategy 2018-2022 and is one of the actions announced in the 'Séjour de la santé' plan.**

The national health strategy mentions on page 25 'Strengthen suicide prevention, in particular the monitoring and support of people at suicidal risk, in particular after a first attempt'. The plan 'Séjour de la santé' has as part of the psychiatry and mental health crisis proof objective on page 42 measure number 31 'strengthening the offering of psychiatric and psychological support to the population' which includes 'Establish a national suicide prevention number 24/7'.

**Furthermore, in line with the description of the measure, the measure shall support the implementation of the information system needed for the functioning of the hotline service. This information system, foreseen by Decree No.2021-1566 of 2 December 2021, is at the disposal of the response centres set up by regional health establishments.**

The evidence provided includes the Decree (see Annex 10), the partnership agreement relating to the implementation of the National Suicide Prevention Number Information System (SI-2NPS) between the Lille and Brest University Hospitals (see Annex 11), as well as the decision on

provisional authorization for use of the 2NPS IS (see Annex 13) the SI 2NPS approval decision of 16 March 2022 for three years (see Annex 14). The latter specifically states: ‘*That blocks 1 (telephony with Orange provider) and 2 (business application with Sys.Vision developer and CIS Valley host) of SI-2NPS can be set up to be used by regional respondent centres organised by the health institutions identified to ensure the operational response to the national suicide prevention number*’.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 9-14</b>	Related Measure: C9.I5 High-speed broadband plan (‘Plan France très haut débit’)		
<b>Name of the Target:</b> Additional housing and business premises that are eligible to be connected to fibre			
<b>Quantitative Indicator: Number</b>	<b>Baseline: 0</b>	<b>Target: 1 700 000</b>	<b>Time: Q1 2022</b>
<b>Context:</b> <p>Measure C9.I5 aims to support the implementation of France’s high-speed broadband plan (“<i>plan France très-haut débit</i>”), with the objective to improve the connectivity in the territory and provide by 2022 nation-wide “very high speed” access. In particular, the measure supports an increase in ambition of the plan, to encourage the acceleration of the deployment of Next Generation Access (NGA) networks, in particular in optic fibre, with speeds above 100 Mbps and generally exceeding 1 Gbps. The projects will take place in the so-called “public initiative networks”, zones for which the private investment is difficult to attract.</p> <p>Target 9-14 requires 1 700 000 additional houses and business premises (compared to 2020) to be eligible to be connected to fibre in 2021.</p> <p>Target 9-14 is the first step of the implementation of the investment C9.I5 and will be followed by target 9-15 related to the number of additional (compared to 2022) housing and business premises that are eligible to be connected to fibre in 2023. The investment has a final expected date for implementation in Q4 2023.</p>			
<b>Evidence Provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. A summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex with appropriate links to the underlying evidence.</li><li>ii. A letter of 8 November 2023 from the Deputy Director General of the Regulatory Authority for Electronic Communications, Posts and Press Distribution (<i>Autorité de Régulation des Communications Electroniques, des Postes et de la Distribution de la Presse - ARCEP</i>) providing certification for the data, by departments, on the number of premises eligible to be connected to fibre in zones of public initiative networks in 2020 and 2021.</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>iii. An Excel file (<i>Evolution de la couverture FttH au sein des communes RIP</i>) including the list of communes covered by a public initiative network financed under France’s high-speed</li></ul>			

- broadband plan.
- iv. A compendium of functional and technical specifications on fibre networks to the subscriber outside of very dense areas, which is valid for all infrastructures, accompanied by an email of 28 September 2023 from ARCEP explaining how to read the technical specifications.
- v. For each project (*porteur de projet*), the convention signed under France's high-speed broadband plan.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **Number of additional (compared to 2020) housing and business premises that are eligible to be connected to fibre in 2021.**

The Regulatory Authority for Electronic Communications, Posts and Press Distribution (*hereinafter referred to as "ARCEP"*) is the French **independent administrative authority** that centralises all the data on connectivity ([Le marché du haut et très haut débit fixe \(déploiements\) - data.gouv.fr](https://data.gouv.fr/)). ARCEP holds all the data on connectivity. Through ARCEP open data, commercial operators communicate and final beneficiaries are able to verify their eligibility to be connected to fibre.

Under Decision No.2018-0169<sup>3</sup>, ARCEP collects quarterly data by addresses on the coverage of high-speed broadband networks deployed by private operators or as part of Public Initiative Networks on the national territory. These data are presented and publicly available on ARCEP website page on fibre: <https://cartefibre.arcep.fr/>. This complies and goes further than what was specified in the further specifications of the Operational Arrangements requiring data published on a semester basis (and covering the public intervention area only).

ARCEP provided a certification of the data by departments on the number of additional businesses and households premises eligible to be connected to fibre in 2021 compared to 2020 in zones of public initiative networks. The data certified that more than 3 million additional households and businesses premises were connected to fibre in 2021 compared to 2020.

**Furthermore, in line with the description of the measure, the measure will encourage the acceleration of the deployment of Next Generation Access (NGA) networks, in particular in optic fibre, with speeds above 100 Mbps and generally exceeding 1 Gbps.**

The French authorities provided evidence that the fibre deployed provides connection speed above 100 Mbps and generally exceeding 1 Gbps (see evidence iv).

**Furthermore, in line with the description of the measure, the projects have taken place in the so-called "public initiative networks",** zones for which the private investment is difficult to attract. The evidence provided by the French authorities shows that the projects are taking place in 53 departments (see evidence ii and iii), including in particular the following territories mentioned in the measure description: Aude, Auvergne, Bretagne, Cher, Dordogne, Doubs, Haute-

<sup>3</sup> [Décision n° 2018-0169 de l'Arcep en date du 22 février 2018 relative aux contenus et modalités de publication de cartes de couvertures des réseaux et des services d'accès à internet en situation fixe, et à la transmission des informations sous-jacentes](#)



Savoie, Indre, Manche, Mayotte, Sarthe and Seine-et- Marne.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 9-16</b>		Related Measure: C9.I6 Digital inclusion	
<b>Name of the Target:</b> France Services digital advisers trained			
<b>Quantitative Indicator: Number</b>	<b>Baseline: 0</b>	<b>Target: 3600</b>	<b>Time: Q4 2022</b>
<b>Context:</b> <p>The measure aims to train an additional 4 000 digital advisers hosted by local authorities and private actors from associations or from the social and solidarity economy. These digital advisers shall organise workshops and offer training sessions to enable everyone to gradually take ownership of everyday digital tasks. They shall be trained in advance of their activities and continuously in order to offer quality services to the people supported but also to prepare for the continuation of their mission beyond the two years supported by the Recovery and Resilience Plan.</p> <p>Target 9-16 concerns the training of 3 600 France Services digital advisers under the training and recruitment campaign.</p> <p>Target 9-16 is the only milestone or target of this investment.</p>			
<b>Evidence Provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. A summary document duly justifying the satisfactory fulfilment of the target.</li><li>ii. Annex 1: the list of recipients of the training including the references of the completed training certificates extracted from the central database managed by the Caisse des Dépôts et Consignation operating the digital advisers programme.</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>iii. Annex 2: Executive Order of 21 January 2021 on the implementation of the “digital inclusion” scheme under France Relance signed by the Minister of territorial cohesion and the State Secretary in charge of the digital transition (<i>Circulaire portant instruction sur la mise en œuvre du volet “inclusion numérique” du plan de relance</i>).</li><li>iv. Call for proposal for the recruitment and hosting of digital advisers targeted at local authorities (<i>‘collectivités territoriales’</i>) or public bodies depending on these local authorities from the National Agency for Territorial Cohesion (<i>Agence Nationale pour la Cohésion Territoriale – ANCT</i>) (<i>‘Appel à manifestation d’intérêt pour le recrutement et l’accueil de conseillers numériques’</i>) <a href="https://agence-cohesion-territoires.gouv.fr/sites/default/files/2021-03/AMI_Conseiller-Numerique.pdf">https://agence-cohesion-territoires.gouv.fr/sites/default/files/2021-03/AMI_Conseiller-Numerique.pdf</a></li><li>v. Call for proposal for the recruitment and hosting of digital advisers targeted at associations, social enterprises and other private entities (<i>‘Appel à manifestation d’intérêt pour les acteurs associatifs, les entreprises de l’ESS et autres structures d’accueil éligibles de droit privé pour le recrutement et l’accueil de conseillers numériques France Services dans le cadre de France Relance’</i>).</li><li>vi. A link to the Guide for Hosting Structures for digital advisers (<i>‘Guide de la structure accueillante’</i>) produced by the ANCT and dated 4 February 2021.</li></ul>			

- vii. The list of structures eligible to the digital advisers' scheme available on open access data portal of the government ([Conseiller numérique - Liste des structures validées par le comité de sélection \(CONUM\) - data.gouv.fr](#)).

For a sample of 60 digital advisers, French authorities also provided

- viii. The certificate of end of training (*'attestation de fin de formation'*) by the training provider.
- ix. The signed timesheets for the whole duration of the training (*'feuilles d'émargement'*).
- x. A screenshot of the ANCT information system indicating the code and full name of the "digital adviser", as well as the code and name of the structure that hosted her/him at the time of the training.

#### **Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

#### **The target requires 3600 France Services digital advisers to be trained under the training and recruitment campaign.**

The French government has pledged to train 4 000 France Services digital advisers. As set out in the Council Implementing Decision, 3 600 of these advisers are supported by the Recovery and Resilience Facility. France provided a list of 4 014 France Services digital advisers trained under the training and recruitment campaign aimed at structures wanting to host a digital adviser (see evidence ii). France also provided the link to the training and recruitment campaign from the National Agency for Territorial Cohesion (*Agence Nationale de la Cohesion Territoriale – ANCT*) aimed at eligible structures willing to host a digital adviser to submit an expression of interest for support under the Recovery and Resilience Plan which includes the initial training of the digital adviser (calls for proposals – see evidence iv and v).

The certificates of end of training (see evidence viii) provided for 60 sampling units confirmed that the digital advisers from the sample undertook a "France Service Digital Adviser" training and received an end of training certificate duly signed by the training provider confirming the training was completed.

#### **Furthermore, in line with the description of the measure, the action builds on an existing initiative to support digital inclusion.**

The "digital inclusion scheme" supported by the RRF builds on the national digital inclusion strategy launched in December 2017 and is described in the executive Order of 21 January 2021 (see evidence iii). It includes three pillars: the digital advisers training and recruitment campaign; the development of innovative solutions to strengthen the local networks of digital inclusion spaces; and the development of tools for "digital helpers" (*'Aidants Connect'*) and the roll out of the "digital helpers" public service.

#### **Furthermore, in line with the description of the measure, digital advisers are hosted by local authorities and private actors from associations or from the social and solidarity economy (such as town halls, libraries, retirement homes, nursing homes, social action centres and local associations).**

France provided the link to the list of structures (published on the ANCT website) eligible to host digital advisers in the context of the 'France Services' training and recruitment campaign (see evidence vii). The call for proposal for the recruitment and hosting of digital advisers published by the National Agency for Territorial Cohesion (*Agence Nationale de la Cohesion Territoriale – ANCT*) in 2021 (see evidence iv) is targeted at local authorities (*'collectivités territoriales'*) and public

bodies depending on these local authorities. The call for proposal for the recruitment and hosting of digital advisers targeted at public and private entities (see evidence v) clarifies that the types of eligible structures are both public entities (local authorities) and private actors from associations and from the social and solidarity economy (see evidence v part II). The analysis of the screenshots of the ANCT information system (see evidence x) provided for 60 sampling units confirmed that each trained digital adviser from the sample was attached to an eligible structure (see evidence vii).

**Furthermore, in line with the description of the measure, digital advisers organise workshops and offer training sessions to enable everyone to gradually take ownership of everyday digital tasks, such as to protect their personal data, master social networks, check sources of information, make a CV, sell an item, buy online, work remotely or schedule a doctor appointment.**

The Executive Order (see evidence iii) provided as evidence by France sets out the role and activities of the digital advisers, which covers all activities outlined in the measure description. The executive order also states that the services may be provided through individual or collective workshops as well as through one-off events or digital initiation activities in places such as town halls, libraries, markets etc.

**Furthermore, in line with the description of the measure, digital advisers will be trained in advance of their activities and continuously in order to offer quality services to the people supported but also to prepare for the continuation of their mission beyond the two years supported by the Recovery and Resilience Plan.**

France provided a link to the guide for eligible structures hosting digital advisers (see evidence vi) which outlines the expectations of structures hosting digital trainers supported by the measure. The evidence confirms that the digital advisers will benefit from an initial training and also states, amongst others, the requirement for advisers to dedicate time for continuing professional training.

**Furthermore, the measure will in parallel support the local networks that offer digital activities (clear labelling, development of training kits, support to the development of pedagogic solutions) as well as supporting the development of “digital helpers” (‘Aidants Connect’) that directly help people performing digital tasks.**

The second pillar of the digital inclusion measure as described in the Executive Order from 21 January 2021 (see evidence iii) is dedicated to supporting local networks such as town halls, not for profit organisations and other “third places” in setting up digital inclusion spaces; labelling, appropriation and acquisition of educational tools; or the purchase of computer equipment from reuse and recycling sectors. The third pillar as also described in the Executive Order from 21 January 2021 (see evidence iii) relates to tools for “digital helpers” (‘Aidants Connect’) and the roll out of the “digital helpers” public service.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

Number: 9-17	Related Measure: C9.I7 R&D recovery strategy - National Research Agency			
Name of the Target: Global success rate for generic and specific calls for projects				
Quantitative Indicator: Percentage		Baseline: 16	Target: 20	Time: Q2 2022
Context:				

Measure C9.I7 finances a boost in 2021 and 2022 in the increase in the allocation of the National Research Agency provided by the Research Programming Law, with the view to support the R&D recovery strategy. The increase in the allocation of the National Research Agency aims to raise the success rate of calls for projects conducted by the National Research Agency. The measure will better fund fundamental research in all disciplinary fields and in particular ensure the financing of all the excellence projects including the risky and innovative projects on which the recovery is expected to be based.

Target 9-17 concerns the global success rate for generic and specific calls for projects, defined as the ratio between the number of projects selected by the National Research Agency and the number of projects submitted in the generic and specific calls. The ratio for calls for projects launched in year 2021 is measured in Q2 of year 2022. Target 9-17 requires that the global success rate increases to 20% in Q2 2022 (from 16% in 2018).

Target 9-17 is the only target for this investment.

**Evidence Provided:**

In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:

- i. A summary document duly justifying how the target was satisfactorily fulfilled with appropriate links to the underlying evidence.
- ii. An Excel document of 12 July 2023 from the National Research Agency including the list of projects selected and the list of the total number of applicants (Annex 1). [The tab “Taux de selection” shows the number of eligible applications and the number of successful applications. The tabs “Plan relance avec tx de sélection”; “Plan relance hors tx sélection”; “Hors plan relance avec tx sélec” et “Hors plan relance hors tx selec” show the selected projects.]

The authorities also provided:

- iii. Law No.2020-1674 (Research Programming Law) from 24 December 2020, published in the Official Journal No.0312 on 26 December 2020 (Annex 2).
- iv. The National Research Agency annual activity report for 2022 (*ANR Rapport d’activité 2022*, <https://anr.fr/fr/actualites-de-lanr/details/news/lanr-publie-son-rapport-dactivite-2022/>).
- v. The budgetary documents accompanying the financing Law<sup>4</sup> (*dp-projet de loi de finances 2024*).
- vi. The report to the Parliament on the implementation of the Research Programming Law, sent on 29 July 2022 (*Rapports LPR envoi SGG*).
- vii. The Action Plan of the National Research Agency for 2022 and 2024 (*‘Plan d’action 2022’, ‘Plan d’action 2024’*).
- viii. “Effective policies to foster high-risk/high reward research” – OECD Policy Papers No.112 of May 2021.
- ix. National Research Agency’s Generic Calls for Projects 2024 (*‘Appel à projets générique 2024’*).

<sup>4</sup> [Plan de relance | budget.gouv.fr](#); [Jaunes budgétaires 2023 | budget.gouv.fr](#)

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the target.

**Global success rate for generic and specific calls for projects.**

The evidence provided by the French authorities confirm that the global success rate (for generic and specific calls for projects conducted by National Research Agency (*Agence Nationale de la Recherche - ANR*)) increased from 16% in 2018 to 23% in 2021. The global success rate of the calls for projects conducted by the National Research Agency are monitored in the context of the implementation of the Research Programming Law (which sets the budget increase of the National Research Agency): the report annexed to the Research Programming Law sets some quantified objectives for the ANR success rate (with the objective to reach 30% in 2027). The 2022 report to the Parliament on the implementation of the Research Programming Law includes a factsheet on the National Research Agency calls for projects (see page 16 of the report sent to the French Parliament on 29 July 2022). The factsheet recalls the objective of the Research Programming Law, with preliminary work showing that the increase in the National Research Agency allocation improves the selection rate of the calls for projects, and finances more scientifically interesting projects. In the state of play and results section, the report provides the success rate of the generic calls for projects, which reached 23% in 2021 (against 17% in 2020 and 18.6% in 2019). The National Research Agency's activity report for 2021<sup>5</sup> also mentions (page 6) the success rate that reached 23.1% in 2021.

In addition, the Excel table with the list of projects selected by the National Research Agency (Annex 1 provided by the French authorities) lists the 2 291 projects selected among the 9 918 applications, which corresponds to a success rate of 23.1% in 2021 (tab '*taux de selection*').

**Furthermore, in line with the description of the measure, the French authorities provided evidence of the boost provided to increase the National Research Agency allocation in 2021 and 2022.**

The 2022 budgetary document that details the expenditures by programme specifies (see page 32 of the budgetary documents accompanying the financing Law) the additional increase in the allocation of the National Research Agency of + EUR 286 million in 2021 and + EUR 142 million in 2022. The budgetary document also confirms that, with the recovery support, the increase in the resources of the National Research Agency had some visible results with the increase in the 2021 selection rate to 23% (page 31 of evidence of the budgetary documents accompanying the financing Law).

**Furthermore, in line with the description of the measure, the French authorities provided evidence that the investment funds fundamental research in all disciplinary fields.**

The list of selected projects concerned a very diverse range of disciplinary fields, including social sciences, biology, and computer science.

The Council Implementing Decision states that the measure *shall ensure the financing of all the excellence projects including the risky and innovative projects on which the recovery is expected to be based*. This requirement is subject to interpretation, notably to define the 'risky and

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<sup>5</sup> [220721 ANR RA interactif.pdf](#)

innovative' nature of projects 'on which the recovery is expected to be based'. In the summary document, the French authorities nonetheless explained the strategy of the National Research Agency in terms of risky and innovative projects: the Agency was part of an OECD working group on the definition of risk-taking calls for projects and the recommendations resulting from this work (published in the OECD Policy Papers of May 2021 on "Effective policies to foster high-risk/high reward research") are being implemented at the Agency to benchmark future developments. For example, the Agency encourages the submission of 'disruptive' projects (corresponding to risky and innovative) and the Agency's Action Plan 2022-24 provides for the development of a specific risk-taking funding instrument. Also, some instruments of the Agency's generic call for projects (for example for Young Researchers (*JCJC – Jeune Chercheur – Jeune Chercheuse*)) and for mono-team (*PRME – Projet de Recherche Mono-Equipe*) specifically aim at funding research at the frontier of knowledge, and thus risky by nature: the *JCJC* aims to encourage researchers to "tackle scientific or technological locks with original approaches" and the *PRME* aims at funding research projects "aiming at scientific objectives of remarkable ambition and innovative character" (see page 82 and 83 of the guide on the generic calls for projects). On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Commission Preliminary Assessment:** Satisfactorily fulfilled