

11 April 2025

**Positive preliminary assessment of the satisfactory fulfilment of milestones and targets related to the second payment request submitted by Belgium on 25 July 2024, 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 25 July 2024, Belgium submitted a request for payment for the second instalment of the non-repayable support and the first instalment of the loan support. The payment request was accompanied by the required management declaration and summary of audits.

To support its payment request, Belgium provided due justification of the satisfactory fulfilment of the 44 milestones and targets of the second instalment of the non-repayable support and the two milestones and targets of the first instalment of the loan support, as set out in Section 2(1) and Section 2(2) of the Council Implementing Decision of 6 July 2021 on the approval of the assessment of the recovery and resilience plan for Belgium<sup>1</sup>.

For 5 targets covering a large number of recipients, in addition to the summary documents and official listings provided by Belgium, Commission services have assessed a statistically significant sample of individual files. The sample size has been uniformly set at 60, which corresponds to a confidence level of 95% or above in all cases.

In its payment request, Belgium has confirmed that measures related to previously satisfactorily fulfilled milestones and targets have not been reversed. The Commission does not have evidence of the contrary. This includes the commitments on audit and control undertaken in the context of Belgium's first payment request and in relation to the milestones 209 (Repository system for Audit and Controls: information for monitoring implementation of RRF) and 210 (Protection of EU financial interest) to ensure continuous compliance with the milestones 209 and 210 and its obligations under the Financing and Loan Agreements. As regards the implementation of the commitment for milestone 209, based on the documentation submitted and the controls carried out by the Commission, Belgium has ensured the completeness of the data collected and stored in the repository systems on both national and foreign companies for already concluded contracts, as required by Article 22(2)d(i) to 22(2)d(iii) of the RRF Regulation. In this regard, Belgium has provided the Commission with evidence of the data collected and stored in the repository systems on both national and foreign companies for already concluded contracts signed between 1 February 2020 and the date on which Belgium informed the Commission of the implementation of the commitment for this milestone 209. Belgium has provided this aforementioned evidence for a sample of 30 items at the level of Belgium, which the Commission has verified. In addition, as regards the implementation of the commitment for milestone 210, based on the documentation submitted and the controls carried out by the Commission, Belgium has made further progress in

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<sup>1</sup> ST 10161/2021 INIT and ST1016/2021 ADD 1, as amended by ST 15570/2023 INIT, ST 15570/2023 ADD 1, ST 15974/2024 INIT, ST 15974/2024 ADD 1, ST 5654/2025 INIT, ST 5654/2025 ADD 1, ST 6541/2025 INIT and ST 6541/2025 ADD 1

implementing the inter-federal coordination arrangements as amended at the inter-ministerial conference on 31 May 2024 to avoid double funding. In this regard, Belgium has provided evidence of the finalisation of the implementation of the inter-federal coordination arrangements to the Commission, including information on the data uploaded to the Commission's risk-scoring tool 'Arachne' and the risks flagged by Arachne, as well as information on projects for which the data is not uploaded to Arachne, in accordance with the inter-federal coordination arrangements. Belgium has also provided to the Commission evidence of the cross-checks carried out at the level of the federated entities to avoid double-funding between RRF and other EU programmes following the April 2024 load into Arachne. Belgium has provided this aforementioned evidence for a sample of 30 items at the level of Belgium, which the Commission has verified. On the basis of the evidence submitted, the Commission considers that Belgium has ensured continuous compliance with milestones 209 and 210, and with its obligations under the Financing and Loan Agreements with respect to these commitments. 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 Belgium, the Commission has made a positive preliminary assessment of the satisfactory fulfilment of all 46 milestones and targets.

The milestones and targets positively assessed as part of this payment request demonstrate significant steps in the implementation of Belgium's Recovery and Resilience Plan. They notably highlight the continuation of the reform momentum in key policy areas. This includes, among others, the introduction of 5G through auctions of the necessary spectrum bands and the adaptation of radiation standards based on the recommendations of relevant committees, as well as legislative steps to facilitate the deployment of electric vehicle charging stations in the three Regions. The milestones and targets also confirm progress towards the completion of investment projects related to rail refurbishment and station accessibility works, the provision of digital equipment and IT infrastructure in schools, and the (re-)construction of recycling facilities.

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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## Non-repayable support

**Number and name of the Milestone:** 1 - Improved energy grant schemes in Flanders

**Related Measure:** R-1.01 - Improved energy grant scheme in the Flemish region

**Qualitative Indicator:** Publication in Official journal

**Time:** Q1 2022

### 1. Context:

Milestone 1 is part of reform R-1.01, which consists in improving an existing energy subsidy scheme in Flanders to incentivise further private energy efficiency renovations and investments. The reform contains three sub-reforms; i) creation of a one-stop shop, a single regional mechanism which allows for the provision of subsidies for residential and private energy efficiency and renewable energy renovations implemented by building contractors, ii) revision of the energy label scheme, iii) revision of the renovations support scheme for home batteries and smart control devices.

Milestone 1 requires the adoption by the Flemish Government / Parliament of new regulation to establish a one stop shop for residential and private renovations, and simultaneously revising the energy grant scheme and introducing a scheme for home batteries and smart control devices

Milestone 1 is the only milestone of reform R-1.01 and has a final step of implementation of Q1 2022. Following the completion of this milestone, in line with the description of the measure in the Council Implementing Decision, Belgium will implement investment 1A intended to support renovations in private and social housing. Investment 1A includes three sub-investments linked to reform R-1.01 ('Improved energy grant scheme in the Flemish region'), linked to targets 5, 6 and 7 (renovation of private residential and social housing).

### 2. Evidence provided:

	Name of the evidence For legal acts please provide the full legal reference and date of entry into force	Short description
1	Summary documents (cover note and summary table)	Summary documents justifying how the milestone was satisfactorily fulfilled. The document includes references to the relevant provisions in the legislative text.
2	i) Single subsidy scheme ("Mijn VerbouwPremie") Copy of Decree of 19 November 2021 amending the Energy Order ["Energiedecreet"] of 8 May 2009 and the Flemish Housing Code of 2021, published in the national Official Journal ( <i>Moniteur Belge / Belgisch Staatsblad</i> ) of 21 December 2021, pages 212-219 <a href="https://www.ejustice.just.fgov.be/eli/decret/2021/11/19/2021043467/moniteur">https://www.ejustice.just.fgov.be/eli/decret/2021/11/19/2021043467/moniteur</a>	This is the new legislation establishing the legal basis for the <b>single subsidy scheme for residential and private renovations</b> ('Mijn VerbouwPremie')

3	<p>i) Single subsidy scheme (“Mijn VerbouwPremie”)</p> <p>Copy of Implementing Order of the Flemish Government of 4 February 2022 establishing a one-stop shop for the application and processing of certain housing and energy premiums and amending the Energy Order [“Energiebesluit”] of 19 November 2010 and the Flemish Housing Codex Decree of 2021, published in the national Official Journal (<i>Moniteur Belge / Belgisch Staatsblad</i>) of 4 February 2022, pages 149-174</p> <p><a href="https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=nl&amp;caller=summary&amp;pub_date=22-05-06&amp;numac=2022020665">https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=nl&amp;caller=summary&amp;pub_date=22-05-06&amp;numac=2022020665</a></p>	<p>This is the implementing order of the legislation on the <b>single subsidy scheme for residential and private renovations</b>, (‘Mijn VerbouwPremie’) which contains provisions and details on grant conditions</p>
4	<p>ii) Revision of the energy label scheme (“EPC labelpremie”)</p> <p>Copy of Implementing Order of the Flemish Government of 18 December 2020 amending the Flemish Energy Decree [“Energiebesluit”] of 19 November 2010, published in the national Official Journal (<i>Moniteur Belge / Belgisch Staatsblad</i>) of 30 December 2020, pages 108-119</p> <p><a href="https://www.ejustice.just.fgov.be/eli/decret/2021/11/19/2021043467/moniteur">https://www.ejustice.just.fgov.be/eli/decret/2021/11/19/2021043467/moniteur</a></p>	<p>This is the revision of the energy grant scheme (‘EPC labelpremie’)</p>
5	<p>iii) Revision of the support scheme for appliances related to energy efficiency</p> <p>Copy of Implementing Order of the Flemish Government of 9 July 2021 amending the Energy Decree [“Energiebesluit”] of 19 November 2010, published in the national Official Journal (<i>Moniteur Belge / Belgisch Staatsblad</i>) of 15 July 2021, pages 110-114</p> <p><a href="https://www.ejustice.just.fgov.be/cgi/article.pl?language=fr&amp;sum_date=2021-07-15&amp;lg_txt=f&amp;caller=sum&amp;seditie=1&amp;2021031818=13&amp;numac_search=2021031818&amp;view_numac=2021043467fr">https://www.ejustice.just.fgov.be/cgi/article.pl?language=fr&amp;sum_date=2021-07-15&amp;lg_txt=f&amp;caller=sum&amp;seditie=1&amp;2021031818=13&amp;numac_search=2021031818&amp;view_numac=2021043467fr</a></p>	<p>This is the new legislation introducing the <b>scheme for smart control and home batteries</b></p>
6	<p>iii) Revision of the support scheme for appliances related to energy efficiency</p> <p>Copy of Implementing Order of the Flemish Government of 8 July 2022 amending the Energy Decree [“Energiebesluit”] of 19 November 2010, published in the national Official Journal (<i>Moniteur Belge / Belgisch</i></p>	<p>This is the extension of the grant for control devices for electric heating in buildings beyond 2022</p>

	Staatsblad) of 31 August 2022, pages 65 525 - 65 547	
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### 3. Analysis:

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

*The description of Milestone 1 requires the “Adoption by the Flemish Government / Parliament of new regulation to provide more efficient incentives to accelerate private energy efficiency investments: (i) creating a one stop shop for residential and private renovations related to energy efficiency and renewable energy, implemented by building contractors, in a single regional mechanism, (ii) revising the energy label grant scheme and (iii) introducing the scheme for home batteries and smart control devices.”*

*For readability purposes, requirements (i), (ii) and (iii) will be examined separately below.*

- 1. Requirement (i): Adoption by the Flemish Government / Parliament of new regulation to provide more efficient incentives to accelerate private energy efficiency investments: (i) creating a one stop shop for residential and private renovations related to energy efficiency and renewable energy, implemented by building contractors, in a single regional mechanism[...].**

**Furthermore, in line with the description of the measure, the first sub-reform shall consist of (i) the creation of a one stop shop, a single regional mechanism, which allows for the provision of subsidies for residential and private energy efficiency and renewable energy renovations implemented by building contractors from July 2022.**

The Decree of 19 November 2021 establishes a one stop shop for residential and private renovations (“Mijn VerbouwPremie”), amending the Energy Order of 8 May 2009. It was published in the national Official Journal (*Moniteur Belge / Belgisch Staatsblad*) on 21 December 2021. It was adopted by the Flemish government on 19 November 2021; it entered into force on 1 July 2022, as specified in the implementing order of 4 February 2022 (article 50), following article 6 of the Decree of 19 November 2021, which provides that the decree will “enter into force on a date to be fixed by the Flemish Government”. Articles 4 and 5 of the Decree of 19 November 2021 amend the existing Flemish Housing code and create the obligation for the Flemish Government to introduce a one-stop shop for subsidies related to works on buildings.

The implementing order of 4 February 2022 established a one-stop shop for residential and private energy efficiency renovations and renewable energy support. It was published in the Official Journal on 6 May 2022. It was adopted by the Flemish government on 4 February 2022. Article 1 sets-up the one-stop shop and provides that premiums and benefits covered by the one stop shop are those referred to in Book 5, Part5, Title 3, Chapter 1 of the Flemish Housing of 2021 and in Article 6.4.1/1, 6.4.1/1/1, 6.4.1/5 and 6.4.1/5/1 of the Energy Decree of 19 November 2010. The one-stop shop is established and available [here](#). It entered into force on 1 July 2022, as specified in article 50 of the implementing order of 4 February 2022.

The Council Implementing Decision required all subsidies related to energy efficiency and renewable energy be consolidated in a one-stop shop. While Belgium did create a one-stop shop (Mijn Verbouwpremie) for energy efficiency and renewable energy subsidies for residential and private renovations, one related subsidy was not integrated in this one-stop shop.

- A temporary grant for **do-it-yourself roof insulations**, redeemable for invoices between October 2022 and June 2024 and paid out by Fluvius, the grid operator, was not available through MijnVerbouwPremie but required a separate application.

Nevertheless, as this subsidy is not implemented via building contractors, it is not required to be included in the one-stop-shop.

- 2. Requirement (ii): Adoption by the Flemish Government / Parliament of new regulation to provide more efficient incentives to accelerate private energy efficiency investments: [...] (ii) revising the energy label grant scheme [...].**

**Furthermore, in line with the description of the measure, Sub-reform (ii) shall contain the revision of the energy label grant scheme to support energy efficient renovations.**

The implementing Order of the Flemish Government of 18 December 2020 introduced a new energy label grant ('EPC labelpremie') given for deep energy renovations of dwellings or housing units. It was published in the national Official Journal (*Moniteur Belge / Belgisch Staatsblad*) of 30 December 2020. It entered into force on 1 January 2021, as specified in article 35 of the implementing Order of 18 December 2020. Article 9 of the implementing Order of the Flemish Government of 18 December 2020 provides the conditions - substantial energy renovations, proven by energy performance certificates before and after renovations - for investors to receive the premium, as well as the amounts to be received, depending on the type of project and energy performance achieved after renovations. For dwellings, the energy performance certificate must be improved from E or F to at least C. For housing units, the energy performance certificate must be improved from D, E or F, to at least B. Contrary to the energy efficiency and renewable energy subsidies listed above, the scheme does not provide support per type of energy efficiency work done (roof insulation, replacement of a boiler, etc.) but supports the improvement of the overall energy performance of a building, providing support per improvement of energy performance certificates, providing more efficient incentives to accelerate private energy efficiency investments.

- 3. Requirement (iii): Adoption by the Flemish Government / Parliament of new regulation to provide more efficient incentives to accelerate private energy efficiency investments: [...] (iii) introducing the scheme for home batteries and smart control devices.**

**Furthermore, in line with the description of the measure, Sub-reform (iii) shall contain the revision of the renovation support scheme for home batteries and smart control devices for heat pumps, electrical boilers and electric storage heating.**

The Implementing Order of 9 July 2021 amended the Energy Decree of 19 November 2010 by introducing a new grant for smart control appliances, including for electric storage heating, electric boilers and heat pumps. It was published in the national Official Journal (*Moniteur Belge / Belgisch Staatsblad*) of 15 July 2021. It entered into force on the date of its publication in the national Official Journal, as specified in article 13 of the Implementing Order of 9 July 2021. Article 4 of the Implementing Order of 9 July 2021 specifies the grant can cover up to 50% of the invoice for smart control appliances, with a maximum of EUR 400. Originally valid for invoices in 2021 and 2022, the grant was extended to invoices until 31 December 2024 by the article 13 of the Implementing Order of 8 July 2022 the Official Journal of August 31, 2022 (page 65529). Article 10 provides the conditions under which a grant for the purchase of home batteries is awarded to homeowners or lessees, as well as the amounts, which depend on the year of purchase and capacity of the battery. The amounts are decreasing in the capacity in kWh of the battery (larger from 0 to 4kWh, smaller from 4 to 6kWh, and the smallest from 6 to 9kWh) and decreasing in the

year of support (larger amounts in 2021 than in 2022 / 2023 / 2024); support cannot exceed 40% of the investment costs and will end in 2025.

**Furthermore, in line with the description of the measure, the three sub-reforms shall enter into force by 1 April 2022.**

The Council Implementing Decision requires that the new regulation to accelerate private energy efficiency investments shall enter into force by 1 April 2022. All relevant new regulations and amendments to existing regulations were adopted before 30 March 2022, except the implementing order of 4 February 2022 establishing the one-stop shop for residential and private energy efficiency renovations, which entered into force on 1 July 2022. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the implementing order of 4 February 2022 establishing the one-stop shop for residential and private energy efficiency renovations had entered into force at the time of the assessment. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 2 - Entry into force of new regulation on energy grant schemes in Brussels

**Related Measure:** Improved energy grant scheme of the Brussels-Capital region (R-1.02)

**Qualitative Indicator:** Provision in the law indicating the entry into force of the new regulation

**Time:** Q1 2022

**1. Context:**

Milestone 2 is part of reform R-1.02, which consists in reforming the energy grant scheme of the Brussels Capital region. A single regional web portal must be operational and simplify access for citizens by merging energy bonuses and housing renovation premium administrative procedures.

Milestone 2 requires the entry into force of the new regulation on energy grants for residential and private renovations in the Brussels-Capital region.

Milestone 2 is the only milestone of reform R-1.02 and has a final step of implementation of Q1 2022.

Following the completion of this milestone, in line with the description of the measure in the Council Implementing Decision, Belgium will implement investment 1A intended to support renovations in private and social housing. Investment 1A includes one sub-investment linked to reform R-1.02 ('Improved energy subsidy scheme' of the Brussels-Capital Region), which is detailed in targets 5 and 6 (renovation of private residential and social housing).

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Summary document	A summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and the corresponding measure in the CID annex) was satisfactorily fulfilled
2	Decree on energy grants (Brussels Environment) of 31 March 2022. <a href="https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=fr&amp;caller=summary&amp;pub_date=2022-05-19&amp;numac=2022031571%0D%0A#end">https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=fr&amp;caller=summary&amp;pub_date=2022-05-19&amp;numac=2022031571%0D%0A#end</a>	Legal act on energy grants
3	Decree on housing renovation premiums (Urban.brussels) of 31 March 2022  <a href="https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=fr&amp;caller=summary&amp;pub_date=2022-05-19&amp;numac=2022031571%0D%0A#end">https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=fr&amp;caller=summary&amp;pub_date=2022-05-19&amp;numac=2022031571%0D%0A#end</a>	Legal act on renovation grants

<a href="#">ary&amp;pub_date=2022-05-04&amp;numac=2022031617%0D%0A#top</a>	
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### 3. Analysis:

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

#### **Entry into force of regulation to reform the energy grant schemes for residential and private renovations in Brussels-Capital Region**

The Decree of 31 March 2022 on energy grants reforms the energy bonuses for residential and private renovations in the Brussels-Capital Region, amending the 9 February 2012 Decree on financial support related to energy. The Decree was published in the national Official Journal (*Moniteur Belge / Belgisch Staatsblad*) on 19 May 2022. It was adopted on 31 March 2022; article 10 of the Decree stipulates that it came into force on 31 March 2022. Article 1 of the Decree of 31 March 2022 on energy grants specifies that the decree relates to financial support for energy renovations.

The Decree on housing renovation premiums was adopted on 31 March 2022 and entered into force on 31 March 2022, as stipulated in article 23 of the decree. It was published in the national Official Journal (*Moniteur Belge / Belgisch Staatsblad*) on 4 May 2022. The Decree relates to premiums given for renovations for dwellings or building used for housing, as specified in article 2. This introduces new housing renovation premiums.

**Furthermore, in line with the description of the measure, the reform consists of reforming and merging the energy bonuses and housing renovation premiums into a single regional mechanism for individuals as from 2022.**

The Decree on housing renovation premiums of 31 March 2022 and the Decree on energy grants of 31 March 2022 reformed the energy bonuses and housing renovation premiums.

Article 6 of the Decree of 31 March 2022 on energy grants stipulates that only requests introduced through the form available on the online portal are admissible, as does article 8 of the Decree of 31 March 2022 on renovation premiums. Article 6 of the Decree of 31 March 2022 on energy grants and article 8 of the Decree of 31 March 2022 on renovation premiums refer to the same single same portal. As a consequence, these two provisions merge housing renovation premiums and energy grants for residential and private renovations in the Brussels Capital region in a single regional portal.

**Furthermore, in line with the description of the measure, only one regional web portal shall inform applicants about the premiums available and there shall only be a single digitalised procedure for citizens.**

The energy grant bonuses and housing renovation premiums for private and residential renovations in the Brussels Capital region are now accessible through one single portal, the “Renolution” portal (<https://renolution.brussels/fr/primas-et-soutiens-financiers>), and through a single administrative form (<https://irisbox.irisnet.be/irisbox/rep/landing>).

The “Renolution” portal is the only regional web portal informing applicants of available premiums, with a single digitalised procedure, in line with the description of the measure.

**Furthermore, in line with the description of the measure, thanks to the unified system, citizens shall have a clearer picture of the amount they are entitled to for their renovation work and shall see a simplification of the administrative procedures for obtaining financial support through regional bonuses.**

Furthermore, the merging of house renovation premiums and energy grants in a single portal (<https://renolution.brussels/fr/primas-et-soutiens-financiers>) and the use of a single administrative form (<https://irisbox.irisnet.be/irisbox/rep/landing>) simplifies administrative procedures compared to the previous system with two separate online procedures with the two separate granting authorities (Urban Brussels / Brussels Environment). Furthermore, citizens can receive an estimation of the amount they are entitled to before formally introducing a request for support, through <https://irisbox.irisnet.be/irisbox/rep/landing>, which provides citizens with a clearer picture of the amounts they are entitled to.

**Furthermore, in line with the description of the measure, the regulation reforming the energy grant schemes for residential and private renovations in the Brussels-Capital Region shall enter into force by 31 March 2022.**

The Council Implementing Decision requires that the regulation reforming the energy grant schemes for residential and private renovations in the Brussels-Capital Region enters into force by 31 March 2022. All relevant new regulations and amendments to existing regulations entered into force before or on 31 March 2022.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled

**Number and name of the Milestone:** 3 - Entry into force of new regulation on energy grant schemes in the German-speaking Community

**Related Measure:** Improved energy grant scheme of the German-speaking Community (R-1.03)

**Qualitative Indicator:** Provision in the law indicating the entry into force of the new regulation

**Time:** Q1 2022

### 1. Context:

Milestone 3 is part of reform R-1.03, which consists in reforming the energy subsidy scheme in the German-speaking community.

Milestone 3 requires the entry into force of the new regulation on energy grants for private renovations of existing residential buildings in the German-speaking community. The regulation should distinguish between small works, for which simplified administrative procedure is accessible, and majors works, for which more detailed procedures shall be necessary before granting support.

Milestone 3 is the only milestone of reform R-1.03 and has a final step of implementation of Q1 2022.

Following the completion of this milestone, in line with the description of the measure in the Council Implementing Decision, Belgium will implement investment I-7.03 (target 214) intended to support renovations in private housing in the German-speaking community, linked to reform R-1.03.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Summary document	A summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and the corresponding measure in the CID annex) was satisfactorily fulfilled
2	Government Order of 30 September 2021 on the introduction of a premium system to increase the energy efficiency of residential buildings <a href="http://www.ejustice.just.fgov.be/eli/arrete/2021/09/30/2021205093/justel">http://www.ejustice.just.fgov.be/eli/arrete/2021/09/30/2021205093/justel</a>	Legal act reforming the energy grant scheme

### 3. Analysis:

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

**Entry into force of regulation to reform the energy grant schemes for residential and private renovations in the German-speaking Community**

The Decree of 30 September 2021 introducing a new subsidy scheme to improve the energy efficiency of residential buildings in the German-speaking community was adopted on 30 September 2021 and published in the national Official Journal (*Moniteur Belge / Belgisch Staatsblad*) on 8 December 2021.

**Furthermore, in line with the description of the measure, the measure shall introduce a new system of energy premiums in the German-speaking Community as from July 2021.**

Article 1, paragraph 1 of the decree stipulates that the scheme is limited to natural persons, thereby limiting the scheme to private renovations. Article 1, paragraphs 16 and 17, stipulate that the scheme applies to existing buildings, either already used for residential purposes or which will be transformed to become residential buildings. Article 5, paragraph 2, stipulates that no subsidies can be given for buildings, which, either now or in the future, are not at least half used for residential purposes. Article 23 stipulates that the decree came into force on 1 November 2021.

**Furthermore, in line with the description of the measure, the reform aims at distinguishing between small works, allowing access to bonuses in a simplified way, and major works, which shall require more detailed administrative procedures. Moreover, in line with the description of the measure, the purpose of the bonus project is, in particular, to create incentives for the implementation of energy saving measures and the reduction of carbon dioxide emissions for existing residential buildings in the German-speaking Community.**

Article 5, paragraph 1, states that only works listed in the annex to the Government Order are eligible to receive energy premiums; works listed in the Annex are small works that aim at improving the energy efficiency of buildings or reduce their CO<sub>2</sub> emissions. For instance, the Annex refers to the thermal insulation of ceilings, roofs or walls, or to the replacement of heating systems by heat pumps, among others. Works not listed in the Annex cannot benefit from the energy grant scheme and the simplified energy premia listed in the Annex to the Government Order. These “major” works hence necessarily need to undergo more detailed administrative procedures.

**Furthermore, in line with the description of the measure, the regulation reforming the energy grant schemes for residential and private renovations in the German-speaking community shall enter into force by 31 March 2022.**

The Council Implementing Decision requires that the new regulation on energy grants for private renovations of existing residential buildings in the German-speaking community entered into force by 31 March 2022. All relevant new decrees and implementing orders entered into force before 31 March 2022. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled

**Number and name of the Milestone:** 11 - Adaptation of the electricity ordinance to introduce a one-stop shop for renovations

**Related Measure:** I-1.08 - Renovation of public buildings

**Qualitative Indicator:** Publication in Official Journal of the electricity ordinance

**Time:** Q1 2022

### 1. Context:

Milestone 11 is part of investment I-1.08 which aims to renovate public buildings in the Brussels-Capital Region. The investment measure consists of two parts. First, the measure concerns the development of a one-stop-shop to be managed by SIBELGA, the operator of the electricity and gas distribution network in the Brussels Region under a public service obligation, to facilitate and accelerate deep energy renovations of public buildings of local and regional authorities in Brussels. Second, the measure concerns energy subsidies for the selected public renovation works, where the renovation of buildings shall reduce primary energy consumption on average by at least 30%.

Milestone 11 requires the entry into force of the electricity ordinance defining the public service mission of Sibelga, including the operation of the one-stop shop for public renovations in Brussels.

Milestone 11 is the first step of the implementation of investment I-1.08. It will be followed by target 14, related to the meters squared of public buildings renovated. The investment has a final expected date for implementation by 30 June 2026.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Summary document	Summary document justifying how the milestone was satisfactorily fulfilled. The document includes references to the relevant provisions in the legislative text.
2	Ordinance of 17 March 2022 amending (i) the ordinance of 19 July 2001 on the organisation of the electricity market in the Brussels-Capital Region, (ii) the ordinance of 1 April 2004 on the organisation of the gas market in the Brussels-Capital Region, concerning road charges for gas and electricity and amending (a) the ordinance of 19 July 2001 on the organisation of the electricity market in the Brussels-Capital Region and (b) the ordinance of 12 December 1991 creating budgetary funds for the purpose of transposing Directive 2018/2001 and Directive 2019/944 ( <i>Ordonnantie tot wijziging van de ordonnantie van 19 juli 2001 betreffende de</i>	This is the new legislation, amending the existing legislation of 2001. The relevant article for assessing this milestone is Article 22. The ordinance can also be found online on: <a href="https://www.ejustice.just.fgov.be/eli/ordonnance/2022/03/17/2022020646/justel#travauxpar">https://www.ejustice.just.fgov.be/eli/ordonnance/2022/03/17/2022020646/justel#travauxpar</a>

	<p><i>organisatie van de elektriciteitsmarkt in het Brussels Hoofdstedelijk Gewest, de ordonnantie van 1 april 2004 betreffende de organisatie van de gasmarkt in het Brussels Hoofdstedelijk Gewest, betreffende wegenisretributies inzake gas en elektriciteit en houdende wijziging van de ordonnantie van 19 juli 2001 betreffende de organisatie van de elektriciteitsmarkt in het Brussels Hoofdstedelijk Gewest en de ordonnantie van 12 december 1991 houdende oprichting van begrotingsfondsen met het oog op de omzetting van richtlijn 2018/2001 en richtlijn 2019/944 / Ordonnance modifiant l'ordonnance du 19 juillet 2001 relative à l'organisation du marché de l'électricité en Région de Bruxelles-Capitale, l'ordonnance du 1er avril 2004 relative à l'organisation du marché du gaz en Région de Bruxelles-Capitale, concernant des redevances de voiries en matière de gaz et d'électricité et portant modification de l'ordonnance du 19 juillet 2001 relative à l'organisation du marché de l'électricité en Région de Bruxelles-Capitale et l'ordonnance du 12 décembre 1991 créant des fonds budgétaires en vue de la transposition de la directive 2018/2001 et de la directive 2019/944) hereinafter referred to as “the ordinance of 17 March 2022”;</i></p>	
3	<p><a href="#">Ordinance</a> of 19 July 2001 on the organisation of the electricity market in the Brussels-Capital Region, consolidated version with integration of amendments in force published up to and including 20 October 2022 (<i>Ordonnance relative à l'organisation du marché de l'électricité en Région de Bruxelles-Capitale, version consolidée avec intégration des modifications en vigueur publiées jusqu'au 20-10-2022 inclus</i>);</p>	<p>This is the consolidated version of the ordinance from 2001 together with the changes brought up to 2022.</p>
4	<p>Management contract, signed on 11 April 2021, between the Brussels-Capital Region and Sibelga, 2021-2023</p>	
5	<p>Brochure “Renoclick - Solutions for renovating your public buildings, making them more efficient and meeting energy transition targets” (<i>RenoClick - Des solutions pour rénover vos</i></p>	<p>This brochure presents RenoClick, the one-stop shop for public authorities implemented by Sibelga, and which brings together services for deep</p>

	<i>bâtiments publics, les rendre plus performants et atteindre les objectifs de transition énergétique).</i> Downloaded on 28 May 2024 from: <a href="https://renoclick.be/">https://renoclick.be/</a> (hereafter referred to as the RenoClick brochure)	renovation and energy performance projects.
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**3. Analysis:**

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

**Entry into force of the electricity ordinance defining the public service mission of Sibelga, including the operation of the one-stop-shop for public renovations in Brussels**

To enable the distribution network operator Sibelga to provide the additional services needed to renovate Brussels' public buildings, the ordinance of 17 March 2022 amended the ordinance of 19 July 2001 on the organisation of the electricity market in the Brussels-Capital Region.

More specifically, Article 22 1°, d) of the ordinance of 17 March 2022 modified Article 24bis of the ordinance of 19 July 2001 defining the public service missions of the distribution network operator, namely Sibelga, by adding to those missions « support for regional, community and local authorities as part of the regional project for the renovation of public authority buildings and the deployment of green electricity production facilities on public authority sites, through information, advice, help in identifying opportunities, technical and administrative support, and the organization of purchasing groups ». Consequently, the ordinance of 17 March 2022 amends the public service mission of Sibelga and adds the operation of the one-stop-shop to the attributions of Sibelga.

This is supported by the RenoClick brochure, where page 6 presents RenoClick as the one-stop-shop for efficient and sustainable buildings for public authorities while page 9 mentions that the Minister for Climate Transition and Energy has entrusted Sibelga with the implementation of RenoClick.

**In line with the description of the measure: development of a one-stop-shop to facilitate and accelerate deep energy renovations of public buildings of local and regional authorities in Brussels**

Article 22 1°, d) of the ordinance of 17 March 2022 modifying Article 24bis of the ordinance of 19 July 2001 attributes the operation of the one-stop-shop for public renovations to the distribution network operator and specifies that the support for regional, community and local authorities by the distribution network operator, namely Sibelga, should aim “to renovate public authority buildings and deploy green electricity production facilities on public authority sites”.

More specifically, page 6 of the RenoClick brochure mentions that it is the one-stop-shop for efficient and sustainable buildings for public authorities and that “[RenoClick] covers deep renovation projects as well as energy efficiency work and the installation of photovoltaic panels”.

**In line with the description of the measure, entry into force of the electricity ordinance by 1 February 2022**

The Council Implementing Decision required that the ordinance should enter into force by 1 February 2022. The revision of the electricity ordinance was adopted by the government of the Brussels-Capital Region on 17 March 2022 and published in the Official Journal on 20 April 2022. The ordinance entered into force on 30 April 2022, according to article 56 of the Law of 8 August 1980 (*Bijzondere wet tot*

*hervorming der instellingen / Loi spéciale de réformes institutionnelles*) which stipulates a subsidiary *vacatio legis* of 10 days. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay between the adoption of this ordinance and the actual application of the provisions is considered both limited and proportional, as the ordinance entered into force shortly after the date required by the Council Implementing Decision. Moreover, the beginning of legal effects has taken place. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 18 - Award of contracts under the call for projects

**Related Measure:** I-1.15 - An industrial value chain for hydrogen transition of the Federal State

**Qualitative Indicator:** Written notification of contract awards to successful candidates

**Time:** Q2 2022

### 1. Context:

The investment concerns the promotion of various demonstration projects on the production and the use of hydrogen under the competence of the federal government. The aim is to stimulate innovative projects with high potential to accelerate the energy transition, so that they reach maturity and scale up for commercial use.

Milestone 18 consists in the award of contracts under the call for projects “An industrial value chain for hydrogen transition (federal level)”.

Milestone 18 is the first step of the implementation of the investment. It will be followed by milestone 19 which covers the second call for projects under this measure and by milestone 20, related to the completion of all awarded projects in the calls for projects. The investment has a final expected date for implementation in Q4 2025.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the milestone was satisfactorily fulfilled, FOD/SPF Economie, 8 December 2023
2	Annexes ia and ib Memorandum (in Dutch and French)	Call for projects ‘Clean Hydrogen for clean industry’ (I-1.15), launched by FOD/SPF Economie on 21 April 2022
3	Annex ii overview of extracts	Table with overview of the relevant extracts from the memorandum, complementing the cover note.
4	Annexes iii a to iii f Notification, to projects NextH2Gen, Comforthybel, Storm, H2PY, GrHyne and HOPE	Notification letters from the Minister of Energy, sent on 10 March 2023 to the six successful projects NextH2Gen, Comforthybel, Storm, H2PY, GrHyne and HOPE
5	Annex iv Overview of projects	Spreadsheet with overview of the six selected projects, including project descriptions
6	Decision support note n°9 Note on demonstration plants/projects	Independent analysis of the demonstration aspects of the six awarded projects, PWC, 10 July 2024
7	Grant agreement for project HOPE	Grant agreement project HOPE (RRF funding), signed on 2 June 2023
8	Grant agreement Clean Hydrogen Partnership – project HOPE	Other EU funding – grant agreement project HOPE, signed on 26 May 2023

### 3. Analysis:

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

**Notification of the award of contracts for a total amount of at least EUR 27 000 000 to successful candidates under the call for projects “An industrial value chain for hydrogen transition (federal level). The projects shall be selected via a call for projects,**

On 21 April 2022, a call for projects “An industrial value chain for hydrogen transition” was launched (Memorandum ‘Climate, Transition and Relaunch Fund, Clean Hydrogen for Clean Industry, project (I-1.15)’, Evidence No. 2). Following the call for projects, written notifications of the contract award, signed by the Minister of Energy, were sent to the six successful candidates on 10 March 2023 (Evidence No. 4). The contract award letters refer to the *Koninklijk besluit /arrêté royal* of 14 February 2023 on the award of support to the six projects following the conclusion of the call for projects selection process (Evidence No. 4, page 1). The award letters to the successful candidates indicate the grant amount awarded to each of the projects (Evidence No. 4). The total amount awarded to the six projects exceeds EUR 30 000 000.

The six selected projects focus on (i) research and proof of concept of disruptive electrolysis technology for the production of hydrogen, (ii) development of specific hydrogen test expertise and infrastructure in Belgium with regard to flexible composite pipelines for hydrogen transport, (iii) integration of green hydrogen production and use in an operational industrial environment, (iv) demonstration of methane plasma pyrolysis technology to produce carbon black and decarbonised hydrogen, (v) R&I and first industrial development with the aim to set up manufacturing capacities to produce up to 1GW/year of electrolysers, and (vi) development and demonstration of an operational mobile offshore 10 MW renewable hydrogen production plant (Evidence No. 5).

**which shall cover demonstration plants for clean hydrogen production as well as the use of hydrogen, for instance in vessels, insofar as the projects fall under the competence of the federal government. As regards demonstration plants for clean hydrogen production, the call shall be open for all technologies with zero process emissions, such as electrolysis powered by renewable electricity, pyrolysis.**

The scope of the call for projects was focussed on developing technologies for the production or use of climate-neutral hydrogen. The call specifically covered the establishment of demonstration plants for clean hydrogen production, such as from offshore wind energy, or the use of clean hydrogen in vessels. A diverse array of technologies with zero process emissions were included, including but not limited to electrolysis powered by renewable electricity and pyrolysis (Evidence No. 2, section 1.2 and 3.2.1). The call for projects specified that the project proposals concerned only projects falling under the competence of the federal government (Evidence No. 2, page 7 and 12). An independent analysis verified to which extent the six awarded projects can be considered demonstration projects, by considering the level of technological readiness that the different projects are expected to reach. Technology readiness levels (TRLs) are a method for estimating the maturity of technologies. Different levels can be distinguished, from 1 to 9, whereby TRLs 6 up to 9 relate to demonstration projects. The independent analysis concluded that all projects are essentially categorized as demonstration projects, with varying degrees of readiness from Technology Readiness Level (TRL) 6 to 8 (Evidence No 6).

**Call for projects for research and innovation (R&I) projects shall comply with the following conditions:**  
- **The R&I exclusively or primarily focuses on low-impact options (such as. renewable hydrogen production or other zero emission environmental innovations) or**

- The R&I is dedicated to improving “best in class” technology (such as technologies with the most limited impact (but not zero / low impact) among those currently available), and appropriate flanking measures are put in place to prevent lock-in effects (measures enabling the uptake of low impact technologies, or their development); or
- The results of the R&I process are technologically neutral at the level of their application (i.e. they may be applied across all available technologies)
- Any electricity used in the projects is of green origin (such as. using RES-e) or based on green PPAs.

The selection criteria in the call for projects (the ‘memorandum’, Evidence No. 2, page 12) included the requirement of a compliant DNSH assessment, drawn up based on annex 2 of the call for projects (Evidence No. 2, section 8). This annex 2 on DNSH specified that the projects need to fulfil the specific DNSH conditions, mentioned in the milestone description in the CID, in relation to the use of green electricity for the production of hydrogen via electrolysis as well as the conditions on R&I (Evidence No. 2, section 8.4 page 35-38). The call memorandum includes the exact wording in the milestone description on the R&I conditions which include that (i) the R&I focuses exclusively or primarily on low -impact options, or, (ii) the R&I is dedicated to improving best-in-class” technology and appropriate flanking measures are put in place to prevent lock-in effects, or, (iii) the results of the R&I process are technologically neutral at the level of their application. Annex 2 of the call for projects (Evidence No. 2, section 8) required applicants to provide the relevant information in order to assess the fulfilment of these requirements. According to the analyses of the eligibility and selection criteria that are annexed to the award notification letters to the awarded projects, all six projects comply with these conditions (Evidence No. 4).

Furthermore, the call for projects included the condition of exclusion of activities under the Emission Trading Scheme (ETS) with projected CO2 equivalent emissions that are not substantially lower than the relevant benchmarks established for free allocations. The call for projects required applicants to provide the relevant information in order to assess the fulfilment of this condition (Evidence No. 2, page 35-36). According to the analyses of the eligibility and selection criteria annexed to the award notification letters to the awarded projects, none of the six selected projects concern activities under ETS (Evidence No. 4).

**Any amounts provided by other Union programmes or instruments shall not be counted towards this amount.**

From the six awarded projects, one project, “Project Hope” is the only project that has a grant agreement with another Union programme, i.e. the EU Clean Hydrogen Partnership. The copies of both the grant agreement funded by the RRF (Evidence No. 7, Articles 6, 7 and 8) as well as the grant agreement related to the EU Clean Hydrogen Partnership grant, (Evidence No. 8 point 6.3 (b), page 22: “are ineligible: costs or contributions declared under other EU grants (or grants awarded by an EU Member State, non-EU country or other body implementing the EU budget)”), include provisions regarding the control framework to ensure the fulfilment of the requirement.

Furthermore, in line with the description of the measure, **the federal measure shall promote various demonstration projects related to the production and use of hydrogen under the competence of the federal government. The projects shall be selected via a call for projects, which shall cover demonstration plants for green and low-carbon hydrogen production as well as the use of hydrogen, for instance in vessels, insofar as the projects fall under the competence of the federal government. As regards demonstration plants for green and low carbon hydrogen production, the call shall be open for all technologies with zero process emissions, such as electrolysis powered by renewable electricity or methane pyrolysis.**

The scope of the call for projects launched on 21 April 2022 to implement the measure, was focussed on developing technologies for the production or use of climate-neutral hydrogen. The call specifically covered the establishment of demonstration plants for clean hydrogen production, such as from offshore wind energy, or the use of clean hydrogen in vessels. A diverse array of technologies with zero process emissions were included, including but not limited to electrolysis powered by renewable electricity and methane pyrolysis (Evidence No. 2, section 1.2 and 3.2.1). The call for projects specified that the project proposals concerned only projects falling under the competence of the federal government (Evidence No. 2, page 7 and 12).

**The RRF shall support part of the costs of this investment. This investment may also receive support from other Union programmes or instruments for costs that are not supported by the RRF.**

One of the six awarded projects, project 'HOPE', has a grant agreement for receiving funding from another Union programme, i.e. the EU Clean Hydrogen Partnership. The copies of both the grant agreement funded by the RRF as well as the grant agreement related to the EU Clean Hydrogen Partnership grant, include provisions regarding the control framework to ensure that the same cost will not be supported by both EU funding sources (Evidence No. 7 and 8).

#### **4. Commission Preliminary Assessment:**

Satisfactory fulfilled

**Number and name of the Milestone:** 21 - Award of contracts to hydrogen IPCEI projects

**Related Measure:** I-1.16 - An industrial value chain for hydrogen transition of the Flemish Region

**Qualitative Indicator:** Written notification of contract awards to successful candidates

**Time:** Q4 2022

### 1. Context:

This investment aims at supporting the transition to a sustainable hydrogen industry in Flanders. In large part, the funding shall support projects which, as part of the wider cross-border Important Project of Common European interest (IPCEI) project portfolio, aim at developing an industrial hydrogen value chain. Outside of the IPCEI portfolio, additional projects with a focus on hydrogen are also included, mostly in the field of research and development and investment projects.

Milestone 21 consists in the award of contracts to hydrogen IPCEI projects in Flanders.

Milestone 21 is the first step of the implementation of the investment, covering IPCEI projects, and it is accompanied by milestone 22 on non-IPCEI projects in this payment request. It will be followed by milestone 23 related to the completion of the projects under this measure. The investment has a final expected date for implementation in Q2 2026.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Milestone 21-summary document	Summary document duly justifying how the milestone was satisfactorily fulfilled, VLAIO, 13 June 2024
2	Internal guidance- Werkwijze DNSH – I-1.16	Internal guidance for the application of DNSH-requirements, VLAIO, March 2022
3	Notes VR - IPCEI.2021.0002 - IPCEI.2021.0003	Decision notes for the Flemish government with a short description of the project and the conditions that have to be met by the projects, Minister Jo Brouns, 15 July 2022
4	1tris - HBC 2022.0002 - Hydrogenics – Beslissingsnota	Short description of the R&D – part of project Hydrogenics in milestone 21, annexed to notification (3bis), VLAIO, 23 August 2022
5	Decisions IPCEI.2021.0002 ENGIE – North-C-Hydrogen – IPCEI.2021.0003 Hydrogenics (FID) - 'bvr-getekend'	Signed and dated decisions of the Flemish government on the award to projects ENGIE – North-C-Hydrogen and Hydrogenics (FID), 15 July 2022
6	Award notifications IPCEI.2021.0002 - IPCEI.2021.0003	Copy of the contract award notifications to projects ENGIE – North-C-Hydrogen and Hydrogenics (FID) in milestone 21, VLAIO, 10 January 2023

7	3bis - Hydrogenics R&D - Beslissingsbrief HBC.2022.0002	Copy of the contract award notification for the R&D part of project Hydrogenics in milestone 21, VLAIO, 23 August 2022
8	Spreadsheet selected projects milestone 21	List of the selected projects under milestone 21
9	DNSH-assessments milestone 21	Copy of the DNSH assessment submitted for each project
10	DNSH questionnaire IPCEI	Copy of the DNSH assessment for each project as submitted as part of the IPCEI State aid notification
11	6a – Hy2Tech – IPCEI Hydrogenics	Copy of the State aid approval for IPCEI Wave Hy2Tech, 15 July 2022
12	6b – Hy2Use – IPCEI ENGIE	Copy of the State aid approval for IPCEI Wave Hy2Use, 21 September 2022

### 3. Analysis:

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

#### **Award of contracts to hydrogen IPCEI projects (defined as those projects forming the subject of the IPCEI State aid notification) under the measure “An industrial value chain for hydrogen transition” (Flanders).**

On 15 July 2022, the Flemish government decided on the award of contracts to two hydrogen IPCEI projects ENGIE – North-C-Hydrogen and Hydrogenics (Evidence No. 5). The Belgian authorities provided evidence of the written notifications to the concerned projects of the grant award, sent on 10 January 2023 (Evidence No. 6). For the R&D part of the Hydrogenics project, the grant award decision was taken by the Decision-making Committee for the Fund for innovation and enterprise (“*Innoveren en Ondernemen*”) (Evidence No. 4) and the award notification was sent to the concerned project on 23 August 2022 (Evidence No. 7).

The two awarded projects were subject to State aid notifications for IPCEI on Hydrogen Technology (Hy2Tech) and IPCEI Hydrogen Industry (Hy2Use), (see Commission Decisions authorising State aid to support those IPCEIs, Evidence No. 11 and 12). As mentioned in those State aid decisions, and in the decision notes for the Flemish government (Evidence No. 3), the awarded projects concern the development and production of a new generation of electrolysers (Hy2Tech - Hydrogenics) and the building and operation of a large-scale facility to produce renewable hydrogen for different industrial end-users (Hy2Use – ENGIE North-C-Hydrogen).

#### **Are excluded from selected projects:**

The milestone description furthermore requires compliance of the selected projects with certain **DNSH conditions relating to excluded activities (ETS), on R&I and on the use of green electricity** (as detailed below). The Belgian authorities ensured the respect of these DNSH conditions by establishing a procedure to ensure that the relevant information regarding each of these DNSH conditions was collected from the projects and verified before the award of the contracts (Evidence No. 2). According to this procedure, applicants were required to fill in a template form and provide for each project all the necessary information to demonstrate the compliance with the DNSH conditions. Copies of the DNSH assessments for each project were collected (Evidence No. 9). In the context of the IPCEI State aid notification, DNSH

assessments also needed to be submitted (Evidence No. 10). The completed forms with DNSH assessments for each project (Evidence No. 9) were validated by the responsible Flemish body (VLAIO) and annexed to the notes for the decisions of the Flemish Government on 15 July 2022 (Evidence No. 3).

**(i) all activities under the Emission Trading Scheme (ETS) with projected CO2 equivalent emissions that are not substantially lower than the relevant benchmarks established for free allocation.**

Based on the information provided by the applicants, none of the projects concern an activity under the ETS (Evidence No. 9).

**(ii) Selected research and innovation (R&I) projects shall comply with the following conditions:**

- **The R&I exclusively or primarily focuses on low-impact options (such as renewable hydrogen production or other zero emission environmental innovations); or**
- **The R&I is dedicated to improving “best in class” technology (such as technologies with the most limited impact (but not zero / low impact) among those currently available), and appropriate flanking measures are put in place to prevent lock-in effects (measures enabling the uptake of low impact technologies, or their development); or**
- **The results of the R&I process are technologically neutral at the level of their application (i.e. they may be applied across all available technologies).**

The conditions relating to R&I were relevant for the R&D part of one of the two awarded projects (Hydrogenics). The R&D part of the project (development of proton exchange membrane electrolyzers) concerns the development of a new generation of water electrolyser system for renewable hydrogen production, and aims to improve best-in-class technology by improving a number of important technical performance indicators (such as electricity consumption) to go beyond the worldwide state of the art, as evidenced in the decision note on the R&D part annexed to the award notification to the project (Evidence No. 7, page 7 and 8 of the note). The envisaged production of the new generation of electrolyzers allows for their uptake and application for delivering renewable hydrogen in different sectors, which does not create any lock-in effects.

**(iii) Any electricity used in the projects is of green origin (such as using RES-e) or based on green PPAs.**

Only one of the projects (North-C-Hydrogen) concerns the production of hydrogen, for which the electricity used will come partly from locally produced green power and partly from green power purchase agreements (Evidence No. 9). Furthermore, the grant decision letters (Evidence No. 6 and 7), recall the condition included in the Flemish government’s decision that the aid is granted subject to compliance with the DNSH conditions and imposes the obligation to provide supporting documents for the use of green electricity.

In line with the description of the measure, **in large part, the funding shall support a portfolio of projects which, like the planned wider cross-border Important Project of Common European interest (IPCEI)<sup>2</sup> project, of which it shall form an integral part, aims at developing an industrial value chain towards hydrogen production, transport, storage and related applications.**

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<sup>2</sup> IPCEIs are subject to the notification requirement and stand-still obligation in Article 108(3) of the Treaty on the Functioning of the European Union. The selection and specificities of the proposed projects may require adjustments to ensure compliance with the applicable rules.

The two awarded projects were subject to State aid notifications for IPCEI on Hydrogen Technology (Hy2Tech) and IPCEI Hydrogen Industry (Hy2Use), (see Commission Decisions authorising State aid to support those IPCEIs, Evidence No. 11 and 12). As mentioned in those State aid decisions, and in the decision notes for the Flemish government (Evidence No. 3), the awarded projects concern the development and production of a new generation of electrolysers (Hy2Tech) and the building and operation of a large-scale facility to produce renewable hydrogen for different industrial end-users (Hy2Use).

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 22 - Award of contracts for non-IPCEI hydrogen projects

**Related Measure:** I-1.16 - An industrial value chain for hydrogen transition of the Flemish Region

**Qualitative Indicator:** Written notification of contract awards to successful candidates

**Time:** Q4 2022

**1. Context:**

This investment aims at supporting the transition to a sustainable hydrogen industry in Flanders. In large part, the funding shall support projects which, as part of the wider cross-border Important Project of Common European interest (IPCEI) project portfolio, aim at developing an industrial hydrogen value chain. Outside of the IPCEI portfolio, additional projects with a focus on hydrogen are also included, mostly in the field of research and development and investment projects.

Milestone 22 consists in the award of contracts to non-IPCEI hydrogen projects in Flanders.

Milestone 22 is the second step of the implementation of the investment, and it is accompanied by milestone 21 (concerning IPCEI projects) in this payment request. It will be followed by milestone 23 related to the completion of the projects under this measure. The investment has a final expected date for implementation in Q2 2026.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Milestone 22-summary document	Summary document duly justifying how the milestone was satisfactorily fulfilled, VLAIO, 19 November 2024
2	Internal guidance- Werkwijze DNSH – I-1.16	Internal guidance for the application of DNSH-requirements, VLAIO, March 2022
3	Notes VR – Projects milestone 22	Decision notes to the Flemish government with a short description of the project and the conditions that have to be met by the projects
4	Award decisions by the Flemish government	Decisions of the Flemish government on the award of contracts to the projects, July to December 2022 and 22 December 2023
5	Award notifications Projects milestone 22	Copy of the contract award notifications for the projects in milestone 22, VLAIO, 23 August 2022 and 10 January 2023
6	Spreadsheet selected projects milestone 22	List of the selected projects under milestone 22
7	DNSH-assessments milestone 22	Copy of the DNSH assessment for each project
8	Annex 5bis – DNSH-assessment IPCEI Hydrogen Industry Hyoffwind (2022.09.09)	Copy of the DNSH assessment for IPCEI.2021.0005 Hyoffwind as submitted as part of the CEEAG State aid notification

9	Annex 6. IPCEI.2022.0002 ArcelorMittal Belgium DNSH.docx	DNSH assessment for IPCEI.2022.002 Arcelor Mittal RecHycle-DRP FID with an annex containing the information specific to ETS-related projects
10	Annex 6bis and ter. ArcelorMittal Belgium DNSH - CEEAG - RFI 5 for SA.64641 BE15 RecHycle-DRP.docx + Annex on calculations	Answer from Arcelor Mittal to request for information from DG COMP on DNSH compliance, 23 March 2023
11	Annex 6quater. ArcelorMittal Belgium - state aid SA.104897.pdf	Decision of DG COMP on the state aid for the Arcelor Mittal investment, containing a positive assessment of the DNSH-compliance, 22 June 2023

### 3. Analysis:

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

#### **Award of contracts to additional non-IPCEI hydrogen projects.**

On 10 January 2023, written notifications of award of contracts were sent to the five concerned hydrogen projects by VLAIO (the Flemish agency for innovation and enterprise) (Evidence No. 5). The letters were sent out following the decisions on the award of grants taken by the Flemish government in July, October and December 2022 (Evidence No. 4). For the R&D part of one of the projects, the grant award decision was taken by the decision-making Committee for the Fund for innovation and enterprise (*Innoveren en Ondernemen*) and the award notification was sent by VLAIO to the concerned project on 23 August 2022 (Evidence No. 5).

**Furthermore, in line with the description of the measure, outside the IPCEI portfolio, additional projects with a focus on hydrogen are also included, mostly both in the field of research and development and investment projects.**

Outside of the IPCEI portfolio the additional projects focus on hydrogen, mostly both in the field of research and development (R&D) and investment projects. This is evidenced by the decision notes to the government (Evidence No. 3) which include short descriptions of the projects, that concern investments, such as in hydrogen production (Hyoffwind, Terranova hydrogen), hydrogen use in transport (Air Liquide), as well as in the field of research and investment in the decarbonisation of the steelmaking process (RecHycle Arcelor Mittal Ghent), and in development and early deployment of the first hydrogen heavy duty machinery (excavator cranes) in Flanders (Aertssen).

#### **Are excluded from selected projects:**

The milestone description furthermore requires compliance of the selected projects with certain **DNSH conditions relating to excluded activities (ETS), on R&I and on the use of green electricity** (as detailed below). The Belgian authorities ensured the respect of these DNSH conditions by establishing a procedure to ensure that the relevant information regarding these DNSH conditions was collected from the projects and verified before the award of the contracts (Evidence No. 2). According to this procedure, applicants were required to fill in a template form and provide for each project all the necessary information to demonstrate the compliance with the DNSH conditions. The completed forms with DNSH assessments for each project (Evidence No. 7) were validated by the responsible Flemish body (VLAIO) and annexed to the notes for the decisions of the Flemish Government (Evidence No. 3). For two of the awarded projects (Hyoffwind and RecHycle Arcelor Mittal Ghent) the DNSH assessment was further refined in the context of the State aid notification procedure (Evidence No. 8, 9 and 10).

**(i) all activities under the Emission Trading Scheme (ETS) with projected CO<sub>2</sub> equivalent emissions that are not substantially lower than the relevant benchmarks established for free allocation.**

Only one of the projects (RecHycle Arcelor Mittal Ghent) concerns an activity under the ETS, on which the information for the DNSH assessment of the project included the relevant ETS-related information (Evidence No. 7, 8, 9 and 10). The information demonstrates that the project will lead to projected CO<sub>2</sub> equivalent emissions that are substantially lower than the relevant benchmarks established for free allocation (1,161 ton CO<sub>2</sub>eq/tonne of hot metal compared to the benchmark value of 1,288 or the average value of the 10% most efficient installations in 2016 and 2017 which is 1,331). This was also confirmed in the context of the State aid notification, as evidenced by the copy of the Commission Decision authorising State aid for this project: *“In relation to climate change mitigation, the RecHycle project aims at implementing a production process avoiding direct CO<sub>2</sub> emissions and thus achieving CO<sub>2</sub> emission levels below the thresholds set out in the Commission Delegated Regulation (EU) 2021/2139 on climate change mitigation for steel products as well as substantially below ETS benchmarks.”* (Evidence No. 11, page 14).

**(ii) Selected research and innovation (R&I) projects shall comply with the following conditions:**

- The R&I exclusively or primarily focuses on low-impact options (such as renewable hydrogen production or other zero emission environmental innovations); or
- The R&I is dedicated to improving “best in class” technology (such as technologies with the most limited impact (but not zero / low impact) among those currently available), and appropriate flanking measures are put in place to prevent lock-in effects (measures enabling the uptake of low impact technologies, or their development); or
- The results of the R&I process are technologically neutral at the level of their application (i.e. they may be applied across all available technologies).

The conditions relating to R&I were relevant for the awarded projects of Arcelor Mittal that include an R&I part. The R&I of RecHycle Arcelor Mittal Ghent is dedicated to improving “best in class” technology. The project concerns the development of a technology to reduce CO<sub>2</sub> emissions of the blast furnace by enabling the reduction of iron ore via the direct injection of hydrogen-rich reduction means (Evidence No. 7). The reduction of CO<sub>2</sub> emissions through the use of hydrogen does not create lock-in effects. The fact that this project concerns the early implementation of an innovative technology is also confirmed in the Commission’s decision authorising State aid to support the project. (Evidence No. 11, page 27).

**(iii) Any electricity used in the projects is of green origin (such as using RES-e) or based on green PPAs.**

Two projects (Hyoffwind, Terranova hydrogen) concern the production of hydrogen, for which the electricity used will come from locally produced green power, from green power purchase agreements (PPAs), or a combination of both (Evidence No. 7, DNSH forms of the projects). Furthermore, the grant decision letters (Evidence No. 5), recall the condition included in the Flemish government’s decision that the aid is granted subject to compliance with the DNSH conditions and imposes the obligation to provide supporting documents for the use of green electricity.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 24 - Award of contracts for hydrogen IPCEI projects

**Related Measure:** I-1.17 - An industrial value chain for hydrogen transition of the Walloon Region

**Qualitative Indicator:** Written notification of contract awards to successful candidates

**Time:** Q1 2022

### 1. Context:

This measure aims at reducing the carbon footprint of industry, transport and building sectors. It consists of a series of coherent sub-projects in Wallonia covering the whole green hydrogen production value chain, as well as developing various applications of hydrogen as an energy carrier and the adaptation of devices, that enable the use and valorisation of hydrogen. It shall be part of the planned cross-border IPCEI project on hydrogen.

Milestone 24 consists in the award of contracts to hydrogen IPCEI projects.

Milestone 24 is the first step of the implementation of the investment. It will be followed by milestone 26 related to the completion of the projects under this measure. The investment has a final expected date for implementation in Q2 2026.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	M[24] Cover_Note_on_M_T_fulfilment.docx	Summary document duly justifying how the milestone was satisfactorily fulfilled, SPW Economie, 26 April 2024
2	M[24] - 1 - Appel a manifestation d'interet.pdf	Call for expression of interest launched in February 2020 by SPF Economy to identify projects potentially eligible for an IPCEI project <a href="https://economie.fgov.be/fr/projet-important-dinteret">https://economie.fgov.be/fr/projet-important-dinteret</a>
3	M[24] - 2 - TR IPCEI H2Tech - Demande officielle de financement a la Région.msg	Email sent on 22 September 2022 by SPW Wallonia to John Cockerill asking to prepare the official funding request, including filling out the Addendum and DNSH annexe
4	M[24] - 2 - TR IPCEI H2Use - Demande officielle de financement a la Région.msg	Email sent on 22 September 2022 by SPW Wallonia to Engie and TECforlime (Carmeuse) asking to prepare the official funding request, including filling out the Addendum and DNSH annexe
5	M[24] - 2 - DNSH_Annexe formulaire.pdf	Annex template form for the DNSH assessment, included in the email of 22 September 2022
6	M[24] - 2 - Formulaire Addendum vierge PNRR.pdf	Addendum – Templated form for updating the DNSH analysis, relating to the excluded activities and the R&I conditions of IPCEI projects, included in the email of 22 September 2022

7	M[24] - 2 - DNSH_Annexe John Cockerill_CONFIDENTIAL.pdf	Copy of the filled in Annex on the analysis of the DNSH principle for the John Cockerill project, received on 8 November 2022
8	M[24] - 2 - Formulaire Addendum PNRR_John Cockerill_CONFIDENTIAL.pdf	Copy of the filled in Addendum – Updated DNSH analysis, relating to the excluded activities and the conditions of IPCEI projects, for the John Cockerill project, received on 8 November 2022
9	M[24] - 2 - DNSH_Annexe_TECforLime_221109_CONFIDENTIAL.pdf	Copy of the filled in Annex on the analysis of the DNSH principle for the Columbus project, received on 10 November 2022
10	M[24] - 2 - Formulaire Addendum PNRR TECforLime_221109_CONFIDENTIAL.pdf	Copy of the filled in Addendum – Update DNSH analysis, relating to the excluded activities and the conditions of IPCEI projects, for the Columbus project, received on 10 November 2022
11	M[24] - 3 - PNRR_RD_GW_IPCEI_H2_JCH2_30012023_FINAL_CONFIDENTIAL.pdf	Analysis of the John Cockerill project by SPW Wallonia regarding the compliance with the DNSH criteria, excluded activities and R&I activities, issuing a favourable opinion to the research part of the project, 8 December 2022
12	M[24] - 3 - PNRR_RD_GW_IPCEI_H2_COLUMBUS_FINAL_CONFIDENTIAL.pdf	Analysis of the Columbus project by SPW Wallonia regarding the compliance with the DNSH criteria, excluded activities and R&I activities, issuing a favourable opinion to the research part of the project, 8 December 2022
13	M[24] - 4 - 20230209_A28_PRW_axe 1_hydrogene_NOTE_ANN.pdf	Copy of the note to the Walloon government regarding the implementation of the hydrogen IPCEI projects under measure I-1.17 of the BE RRP, 9 February 2023
14	M[24] - 4 - 20230209_A28_PRW_axe 1_hydrogene_NOTIF.pdf	Notification of the decision of the Walloon government regarding the award of the grant to the projects Columbus (ENGIE Electrabel and TecForLime), and John Cockerill, 9 February 2023
15	M[24] - 4 - 19739 DD Convention IPCEI PNRR John Cockerill 2210178 JCH2.pdf	Copy of contract award notification for the John Cockerill project, 20 February 2023, with signed agreement in annex
16	M[24] - 4 - 19738 DD Electrabel Convention IPCEI.pdf	Copy of contract award notification for the Columbus project – ENGIE Electrabel and TECforLime, 20 February 2023, with signed agreement in annex
17	M[24] - 5 - List of projects - PRW 47 – 22022023-CONFIDENTIAL.xlsx	Excel file containing a list of selected projects, their brief description and an explanation for the CID justification
18	M[24] - 6 -IPCEI_H2_TECH_John Cockerill_Portfolio_CONFIDENTIAL.pdf	Project Portfolio for the John Cockerill project, containing description of the project and its innovative character, 23 May 2022.
19	M[24] - 6 - IPCEI Notification - Columbus - Project portfolio (Clean)_CONFIDENTIAL.pdf	Project Portfolio for the Columbus project (ENGIE Electrabel and TECforLime (Carmeuse)), containing description of the project and its innovative character, 7 January 2022.

20	M[24] - 6 - Annex - Columbus - GHG Emissions avoidance_CONFIDENTIAL.pdf & xlsx	Annex to the project portfolio on the Assessment 'GHG Emissions Avoided' for the Columbus project, and related excel file
21	M[24] - 8 - Aides d'état - communiqué de presse CE.pdf	Copy of the press release by the European Commission on 15 July 2022, on its approval, in accordance with state aid rules, for the IPCEI Hy2Tech project
22	M[24] - 8 - Aides d'Etat - communiqué de presse CE.pdf	Copy of the press release by the European Commission on 21 September 2022, on its approval, in accordance with state aid rules, for the IPCEI Hy2Use project

**3. Analysis:**

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

***Award of contracts to hydrogen IPCEI projects (defined as those projects forming the subject of the IPCEI State aid notification) under the measure “An industrial value chain for hydrogen transition” (Wallonia).***

In February 2020, Belgian federal and regional authorities launched the call for expressions of interest for projects potentially eligible for participating in a cross-border IPCEI (important projects of common European interest) project on hydrogen (Evidence No. 2). The objective of the call was the energy transition and the transition to a low-carbon economy requiring a differentiated and complementary energy mix with innovative solutions, with the specific focus on hydrogen.

On 9 February 2023, the Walloon government decided on the grant award to two projects that had expressed interest to participate in an IPCEI, project Columbus (ENGIE Electrabel and TecForLime), and the project JCH2 of John Cockerill (Evidence No. 14). The Belgian authorities provided evidence of the written notifications of the awarded and signed contracts between the Walloon Region and the concerned projects, sent out on 20 February 2023 (Evidence No. 15 and 16).

The decision of 9 February 2023 was based on a note to the Walloon government of 9 February 2023, regarding the implementation of the hydrogen IPCEI projects under measure I-1.17 of the BE RRP including proposals for the formal award of grants (“arrêtés du gouvernement wallon”) to the two IPCEI Hydrogen projects (John Cockerill and Columbus). This note to the government includes descriptions of the two projects (Evidence No. 13, pages 3-5). Project Columbus is an innovative carbon capture and utilisation demonstration project at industrial scale in Wallonia, concentrating unavoidable CO<sub>2</sub> emissions from lime production and using green hydrogen to produce synthetic methane. Project JCH2 consists of a research, development and innovation (R&D&I) phase as well as the first industrial development (FID) aiming at enhancing the technological performance of electrolysers while increasing their size (5 MW).

The note to the Walloon government of 9 February 2023 (Evidence No. 13, pages 1-3) furthermore describes the IPCEI notification process - of the two awarded projects. The projects were subject to State aid notifications for IPCEI Hydrogen Industry (Hy2Use) and Hydrogen Technology (Hy2Tech). Evidence was provided in the form of the press releases by the European Commission on its approval, in accordance with state aid rules, for a IPCEI Hy2Tech project (15 July 2022) and for a IPCEI Hy2Use project (21 September 2022) (Evidence No. 21 and 22), which cover respectively, the John Cockerill project and the Columbus project (ENGIE Electrabel and TECforLime). These IPCEI State aid decisions are publicly available (references SA.64642 and SA.64641).

***The specifications of the call for projects shall ensure the exclusion of all activities under the Emission Trading Scheme (ETS) with projected CO<sub>2</sub> equivalent emissions that are not substantially lower than the relevant benchmarks established for free allocation.***

***All awarded research and innovation (R&I) projects shall comply with the following conditions:***

***- The R&I exclusively or primarily focuses on low-impact options (such as renewable hydrogen production or other zero emission environmental innovations); or***

***- The R&I is dedicated to improving “best in class” technology (such as technologies with the most limited impact (but not zero / low impact) among those currently available), and appropriate flanking measures are put in place to prevent lock-in effects (measures enabling the uptake of low impact technologies, or their development); or***

***- The results of the R&I process are technologically neutral at the level of their application (i.e. they may be applied across all available technologies)***

***- Any electricity used in the projects is of green origin (such as using RES-e) or based on green PPAs.***

**This part of the milestone is further specified in the Operational Arrangements: “call” or “call specifications” should be read as the full process until the formal written notification to candidates including additional documentation requested to applicants and being provided, addendum to calls, internal guidelines documents”.**

On 22 September 2022, the Belgian authorities sent emails to the candidate grant recipients (Evidence No. 3 and 4) with the request to provide justifications of compliance with the DNSH principle, on the basis of a DNSH assessment template (Evidence No. 5), and to complement their project proposals by completing a form (*formulaire ‘Addendum’*, Evidence No. 6) with information on the requirements related to the excluded activities (ETS) (all activities under the Emission Trading Scheme (ETS) with projected CO<sub>2</sub> equivalent emissions that are not substantially lower than the relevant benchmarks established for free allocation), to the R&I conditions (that (i) the R&I focuses exclusively or primarily on low-impact options, or, (ii) the R&I is dedicated to improving best-in-class” technology and appropriate flanking measures are put in place to prevent lock-in effects, or, (iii) the results of the R&I process are technologically neutral at the level of their application) and the requirement of the use of green electricity (any electricity used in the projects is of green origin (such as using RES-e) or based on green PPAs).

The Belgian authorities provided copies of the completed templates and forms by the two applicants (Evidence No. 7, 8, 9 and 10). Furthermore, the two project portfolios of the projects (Evidence No. 18 and 19) which were part of the IPCEI State aid notification procedure, describe the state of the art (best in class) of the technology and how the projects aim to go beyond best in class.

All this information provided by the applicants was analysed by the administration and for each project an evaluation sheet was completed on 8 December 2022 (Evidence No. 11 and 12). These evaluation sheets demonstrate how the two projects fulfil the requirements included in the milestone relating to activities under the ETS (relevant for project Columbus which has projected CO<sub>2</sub> equivalent emissions that are substantially lower than the relevant benchmarks established for free allocation), the R&I conditions (in both projects improvement of best in class technologies) and the use of green electricity for the production of hydrogen, and therefore conclude positively on the respect of these conditions.

Furthermore, in line with the description of the measure, ***it shall consist of a series of coherent sub-projects (mostly in the field of research and development and first industrial development) covering the whole green hydrogen production value chain, as well as developing various applications of hydrogen***

***as an energy carrier and the adaptation of devices (such as engines), that enable the use and valorisation of hydrogen. This project shall be part of the planned cross-border IPCEI<sup>3</sup> project on hydrogen.***

In the call for expression of interest for participation in an IPCEI on hydrogen (Evidence No. 2), to which the awarded projects under measure I-1.17 have responded, one of the conditions for being defined as an IPCEI in the hydrogen sector is that the company is part of the hydrogen value chain focussing on the innovative industrial use of this energy carrier. The scope of application of the call includes R&D&I and first industrial development. One of the two selected projects, Project Columbus, is an innovative carbon capture and utilisation demonstration project at industrial scale in Wallonia, concentrating unavoidable CO<sub>2</sub> emissions from lime production and using green hydrogen to produce synthetic methane. The other selected project, “project JCH2”, consists of R&D&I as well as the first industrial development aiming at enhancing the technological performance of electrolysers while increasing their size (5 MW) (Evidence No. 13, pages 3-5).

Both awarded projects are part of cross-border hydrogen IPCEIs, following the approval of the Commission, in accordance with State aid rules, for a IPCEI Hy2Tech project (15 July 2022) and for a IPCEI Hy2Use project (21 September 2022) which cover respectively, the John Cockerill project and the Columbus project (ENGIE Electrabel and TECforLime) (Evidence No. 21 and 22). These IPCEI State aid decisions are publicly available (references SA.64642 and SA.64641).

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled

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<sup>3</sup> IPCEIs are subject to the notification requirement and stand-still obligation in Article 108(3) of the Treaty on the Functioning of the European Union. The selection and specificities of the proposed projects may require adjustments to ensure compliance with the applicable rules.

**Number and name of the Milestone:** 27 - Award of contracts

**Related Measure:** I-1.18 - Developing the low-carbon industry

**Qualitative Indicator:** Written notification of contract awards to successful candidates

**Time:** Q2 2022

### 1. Context:

The objective of this investment measure is to reduce CO2 emissions resulting from energy consumption and emissions from industrial processes. It is implemented through a project call for R&D partnership projects aimed at bringing technologies to the level of (pre)- industrial demonstration or pilot versions in domains such as electrification of industrial processes, hydrogen production by electrolysis, capture and concentration of CO2 emissions.

Milestone 27 requires the award of contracts following the call for projects.

Milestone 27 is the first step of the implementation of the investment, and it will be followed by milestone 28 related to the completion of projects selected under this measure. The investment has a final expected date for implementation in Q2 2026.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	M[27] - Cover note	Summary document duly justifying how the milestone was satisfactorily fulfilled, SPW EER, 30 January 2024
2	'M[27] - 1 - 20210902 annexe_ngw_lancement_aap_poles_clean'	Copy of the official call for projects and its conditions, published on 14 July 2021
3	'M[27] - 2 - 202112122 Addendum_Annexe_NGW_lancement_AAP_POLES'	Addendum to the official call for projects with the additional request for clarification, sent to applicants on 22 December 2021
4	'M[27] - 3 - Formulaire_Addendum_PNRR'	Copy of the Addendum Form
5	'M[27] - 5 - 20210714 PNRR_B101_mise_en_uvre_Fiches_I_1_18_ appel_projets_NOTIF'	Decision of the Walloon Government on 14 July 2021 approving the call for projects and the jury compositions.
6	'M[27] - 7 - 220217_Jury_Rapport_PNRR'	Jury report on the project proposals, dated 17 February 2022 and transmitted by e-mail to the Walloon administration on 17 February 2022
7	'M[27] - 8 - notifNGW_31Mars22_A22_signe'	Decision of the Walloon Government on 31 March 2022, approving the selection of the projects based on the recommendations of the jury
8	'M[27] - 10 - PNRR_ decision_GW_transmise' to	Copy of the e-mails sent on 31 March 2022 notifying the award of contract to the six

	projects HECO2-AXE1, HECO2-AXE2, CleanGrid, Butterfly, NKL, and Saturn	projects HECO2-AXE1, HECO2-AXE2, CleanGrid, Butterfly, NKL, and Saturn
9	'M[27] - 11- Evaluation_annexe_DNSH_et_addendum_V3_IBC'	Excel sheet with all the selected projects, including the project summary, the involved partners and the evaluation of the DNSH analysis and call Addendum for the projects
10	'M[27] - 12 - DNSH_Annexe' completed by projects HECO2-AXE1, HECO2-AXE2, CleanGrid, Butterfly, NKL, and Saturn	Completed DNSH analysis for each of the six selected projects, received by the Walloon administration on 11 and 20 January 2022
11	'M[27] - 12 - Formulaire_Addendum_PNRR' completed by projects HECO2-AXE1, HECO2-AXE2, CleanGrid, Butterfly, NKL, and Saturn	Completed call Addendum Forms for each of the six selected projects, received by the Walloon administration on 11 and 20 January 2022

**3. Analysis:**

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

**Award of contracts under the measure “Developing the low-carbon industry”**

On 31 March 2022, the Walloon government decided to award contracts to six projects (Evidence No. 7). The award process started with the publication of the call for projects “Developing the low-carbon industry” on 14 July 2021 (Evidence No. 2). The decision was the last step in the award process. The Belgian authorities provided evidence of the written notifications of the award to the six projects, which were sent to the selected applicants by e-mail on 31 March 2022 (Evidence No. 8). The six selected projects contribute to reducing CO<sub>2</sub> emissions resulting from energy consumption and emissions from industrial processes by focussing on (i) the development of a solution for carbon capture, use or storage (CCUS) applied to a furnace of the ‘PFR’ type (Parallel Flow Regenerative) (ii) development of a solution to capture and concentrate CO<sub>2</sub> post-combustion, (iii) the synthesis of carbon-neutral kerosene (e-kerosene) from renewable electricity and waste CO<sub>2</sub>, (iv) the production of green hydrogen via electrolysis, (v) the electrification of industrial processes at high temperatures, and (vi) the development of an innovative type of high efficient industrial electricity converter (Evidence No. 6, project descriptions included in jury report).

**The specifications of the call for projects shall ensure the exclusion of all activities under the Emission Trading Scheme (ETS) with projected CO<sub>2</sub> equivalent emissions that are not substantially lower than the relevant benchmarks established for free allocation.**

**All awarded research and innovation (R&I) projects shall comply with the following conditions:**

- Either the R&I exclusively or primarily focuses on low-impact options (such as renewable hydrogen production or other zero emission environmental innovations); or
- The R&I is dedicated to improving “best in class” technology (such as technologies with the most limited impact (but not zero / low impact) among those currently available), and appropriate flanking measures are put in place to prevent lock-in effects (measures enabling the uptake of low impact technologies, or their development); or
- The results of the R&I process are technologically neutral at the level of their application (i.e. they may be applied across all available technologies).

- Any electricity used in the projects is of green origin (such as using RES-e) or based on green PPAs.

**This part of the milestone is further specified in the Operational Arrangements: “call” or “call specifications” should be read as the full process until the formal written notification to candidates including additional documentation requested to applicants and being provided, addendum to calls, internal guidelines documents.**

The call for projects published on 14 July 2021 included the eligibility requirement that the projects should demonstrate compliance with the DNSH principle (Evidence No. 2, page 4), requesting applicants to provide DNSH assessments in the form of a document with the information and tables as required in annexes 1, 2 and 3 of the Commission Communication on the technical guidelines on the application of the DNSH principle (2021/C 58/01). Evidence was provided of the completed forms submitted by the six selected projects (Evidence No. 10).

Furthermore, all the consortia that responded to the call for projects, received on 22 December 2021, an addendum to the call for projects (Evidence No. 3) with an additional request for information on DNSH and were asked to complement their project proposals by completing a form (*formulaire ‘Addendum’*, Evidence No. 4) which covered the requirements related to the excluded activities (all activities under the Emission Trading Scheme (ETS) with projected CO<sub>2</sub> equivalent emissions that are not substantially lower than the relevant benchmarks established for free allocation), to the R&I conditions (that (i) the R&I focuses exclusively or primarily on low-impact options, or, (ii) the R&I is dedicated to improving best-in-class” technology and appropriate flanking measures are put in place to prevent lock-in effects, or, (iii) the results of the R&I process are technologically neutral at the level of their application) and the requirement of the use of green electricity. In addition, the call addendum (and form) requested the applicants to provide the justifications on the average CO<sub>2</sub> emissions reduction potential of the projects. The Belgian authorities provided evidence of the Addendum forms completed by the consortia (Evidence No. 11).

The project proposals and the additional completed addendum form provided by the project consortia on these requirements have been evaluated by the international jury, whose members were appointed by the decision of the Walloon Government on 14 July (Evidence No. 5). The results of this evaluation are reflected in the jury report on the project proposals, dated 17 February 2022 (Evidence No. 6). The jury report confirms the conformity of the DNSH assessments provided and that the six selected projects fulfilled the requirements included in the milestone relating to activities under the ETS, the R&I conditions and the use of green electricity, as well as the acceptability of the provided justifications on projected GHG emissions reductions. Based on the results of the Jury, the Walloon government decided to award the six projects (Evidence No. 7).

Furthermore, in line with the description of the measure, **the investment measure shall promote various projects aimed at reducing CO<sub>2</sub> emissions resulting from energy consumption and emissions from industrial processes.**

The call for projects aims to create a "low-carbon transition" technological sector, which should help the Walloon commitments to reach the EU objective of carbon neutrality through the decarbonisation of the energy-intensive industries (29% of CO<sub>2</sub> emissions in Wallonia). It specifies that the project portfolios will pursue the following specific objectives (Evidence No. 2, pages 1 and 2):

- Bring new technologies to industrial maturity through the establishment of a platform of (pre-)industrial demonstrators/pilots;

- Respond to the specificities of Walloon industrial needs in terms of energy and low-carbon transition through company-specific projects by capitalising on collective experience and skills.

The evaluation criteria in the call for projects include the requirement that the project should contribute to sustainable development with a focus on the green and energy transition (Evidence No. 2, page 9). Furthermore, the call addendum (Evidence No. 4) requested the applicants to provide the justifications on the average CO<sub>2</sub> emissions reduction potential of the projects, in order to assess the contributions of the projects to the goal of 25% reduction of industry emissions (2.5 M tonnes/year). As part of the evaluation of the projects the jury judged on the basis of the justifications provided, whether the expected CO<sub>2</sub> emission reductions in the different projects looked plausible and acceptable (Evidence No. 6).

**It shall be implemented through a project call for R&D partnership projects aimed at bringing technologies to the level of (pre)- industrial demonstration or pilot versions in the following domains: electrification of industrial processes, hydrogen production by electrolysis, direct use of hydrogen in industrial applications, capture and concentration of CO<sub>2</sub> emissions and decarbonisation of ammonia production processes.**

The investment was implemented via the publication of the call for projects “Developing the low-carbon industry” on 14 July 2021 (Evidence No. 2). Among the technological areas mentioned for the required scope of the projects, the call refers to the domains of electrification of industrial processes, hydrogen production by electrolysis, direct use of hydrogen in industrial applications, capture and concentration of CO<sub>2</sub> emissions and decarbonisation of ammonia production processes (Evidence No. 2, page 2).

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled

**Number and name of the Milestone:** 45 - Delivery of first cybersecurity awareness campaign

**Related Measure:** I-2.01 - Cybersecure and resilient digital society

**Qualitative Indicator:** First cybersecurity awareness campaign targeted towards SMEs and self-employed on cyber resilience risks delivered.

**Time:** Q4 2022

### 1. Context:

This measure aims to strengthen cyber capabilities of SMEs and self-employed, combat cyber criminality, combat phishing, introduce a global cybersecurity governance framework within the Foreign Affairs Department, and offer cyber resilience services to the Belgian public at large.

The milestone consists of the delivery of a cybersecurity awareness campaign targeted towards SMEs and self-employed on cyber resilience risks and the deployment of a website. This website shall offer a free cyberscan to SMEs and self-employed to quickly identify areas where cyber resilience may be improved.

Milestone 45 is the first step of the implementation of the investment, and it will be followed by milestone 47 related to the implementation and putting into force of a global cybersecurity governance framework, target 44 related to the notification of award for eight public tenders for various services in the area of cybersecurity under this investment, target 46 related to the deployment of tools available for the general public aimed at increasing cyber resilience capabilities, and milestone 48 related to the enhancement of the cyber resilience capabilities of the Ministry of Defence. The investment has a final expected date for implementation in the second quarter of 2026.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover Note from 19 February 2024	Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the CID annex) was satisfactorily fulfilled.
2	Special specifications no. 2022/75080/E5/Campaign and website Cyber-resilience for SMEs for the creation of a website and communication campaign for the project "Increasing the cyber-resilience of SMEs and the self-employed", Open Procedure by FPS	Copy of the technical specifications of the project as defined by the competent administration and approved by the competent Ministry. The open procedure closed 9 September 2022.

	Economy, SMEs, Middle classes and Energy, 2022.	
3	Certificate of Completion of Communication Work by Ogilvy, 13 March 2023.	Certificate of project completion signed by the contractor and the competent authority certifying that the website is fully operational, the cyberscan is in place, accessible to SMEs and self-employed and providing for assessment of areas where cyber resilience may be improved and best practices.
4	Final report of the “Big Push” phase on “Increasing the cyber resilience of SMEs & the self-employed” awareness campaign by Ogilvy, 27 April 2023.	Implementation report signed by the contractor and the contracting authority confirming that the awareness campaign has been delivered, detailing the actions put in place.
5	Link to the website	<a href="https://mapmecybersecurisee.be/">https://mapmecybersecurisee.be/</a>

**3. Analysis:**

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

**First cybersecurity awareness campaign targeted towards SMEs and self-employed on cyber resilience risks delivered**

The certificate of completion of communication work (evidence no. 3) signed by the contractor Ogilvy and the competent authority, certifies that the first phase “Big Push” of the “Increasing the cyber resilience of SMEs and the self-employed” campaign has been launched and is operational.

The final report of the “Big Push” phase on “Increasing the cyber resilience of SMEs & the self-employed” awareness campaign (evidence no. 4) has been delivered on 23 April 2023 and is signed by the contracting authority, the FPS Economy. The final report consolidates the campaign results, provides a detailed analysis of the results, identifies the main lessons learned and proposes ways to optimize future campaigns.

The Special specifications no. 2022/75080/E5/Campaign and website Cyber-resilience for SMEs for the creation of a website and communication campaign for the project "Increasing the cyber-resilience of SMEs and the self-employed" (*Cahier spécial des charges n° 2022/75080/E5/Campagne et site web Cyber-résilience des PME pour la réalisation d'un site web et d'une campagne de communication pour le projet «Augmentation de la cyberrésilience des PME et des indépendants»*) (hereafter “the Special specifications”) (evidence no. 2) define in Section 3.2.2, page 34, the target groups of the campaign, which are “SMEs including the self-employed”. The Special specifications further clarify the target groups as being “SMEs (< 50 full-time equivalents (FTEs)) and self-employed persons (hereinafter included in the term "SME")” (Section 1.3, page 26).

Section 2.2, page 27, of the Special specifications, explains that “the central objective of the public procurement must be to convince SMEs of the need to change their behavior and take the necessary measures in terms of cybersecurity.”

Furthermore, the Special specifications lay down in Section 1.3, page 26, the three axes of the project, as follows:

- the implementation of a multi-year communication campaign to raise awareness of cybersecurity among SMEs and encourage them to take action in this area;
- the launch of a campaign website dedicated to SME cybersecurity, which will include “Cyberscan”, a cybersecurity self-assessment tool for SMEs that is already developed and online;
- the launch of calls for projects to improve the cyber-resilience of SMEs.

**and website deployed.**

A website, which contains information on cybersecurity threats and several tools to assess the cyber resilience of SMEs and the self-employed, has been deployed and is evidenced by a link to the website provided by the Belgian authorities (evidence no. 5).

**This website shall offer a free cyberscan to SMEs and self-employed to quickly identify areas where cyber resilience may be improved.**

The certificate of completion of communication work (evidence no. 3) further certifies the creation of a website that contains general information on cybersecurity threats, the QuickScan, a cyberscan that allows to quickly identify areas where cyber resilience may be improved, as well as tools and training for the target group, which are SMEs and the self-employed.

The Special specifications (evidence no. 2) detail in Section 2.2 on page 27 the specificities of the Cyberscan as follows:

- Cyberscan. This is a self-assessment tool that enables SMEs to receive an evaluation of their company's cyber-risks in around 20 minutes, along with advice tailored to their specific situation. In concrete terms, SMEs receive a personalized cybersecurity guide that will show them how to improve their situation. The Cyberscan was developed by SPF Economie and launched in March 2022 (<https://economie.fgov.be/fr/form/cyberscan>).

The link provided by the Belgian authorities (evidence no. 5) leads to an operating website, that includes free access to “Cyberscan”.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 54 - Requirements are defined

**Related Measure:** I-2.05 - 'Digitalisation SPF' of the Federal State

**Qualitative Indicator:** Requirements for the different sub-measures are defined and approved

**Time:** Q2 2022

### **1. Context:**

This measure aims at the acceleration of the digitalisation of different administration services under the Federal State. It consists of 11 sub-measures covering:

1. The digital transformation of Justice (sub-measure 1). This sub-measure aims at responding to the technical and technological challenges faced by the Federal Judicial Police in increasingly complex operations. The sub-measure shall enable the members of the federal judicial police to gain in efficiency: (i) in solving problems encountered today such as decryption, 5G, internet research; (ii) through an increased automation of certain actions and use of artificial intelligence tools; (iii) through better data management and better understanding of data by the modernisation of forensic centres. The sub-measure includes (iv) the purchase of specific software solutions and IT equipment (servers).

2. The digitalisation of judicial business processes (sub-measure 2). This sub-measure aims at responding to the technical and technological challenges faced by the Federal Judicial Police in increasingly complex operations. The sub-measure shall enable the members of the federal judicial police to gain in efficiency: a) in solving problems encountered today such as decryption, 5G, internet research; b) through an increased automation of certain actions and use of artificial intelligence tools; c) through better data management and better understanding of data by the modernisation of forensic centres. The sub-measure includes the purchase of specific software solutions and IT equipment (servers).

3. The development of digital tools for the foreign trade agency (sub-measure 3). This sub-measure aims at supporting trade through the development of digital tools and increased digitalisation of the Foreign Trade Agency to enable a modern and digital transition of federal services in charge of promoting foreign trade. The sub-measure includes the development of a specific application and the corresponding training for 25 users.

4. Crisis management and security (sub-measure 4). This sub-measure aims at ensuring that the National Crisis Centre is provided with the capacity of hosting many partners in safe and secure circumstances, and for them to be able to connect to the digital infrastructure. A highly available and secure communication network among security partners involved in national crisis management needs to be developed to allow the release of confidential and classified information. To this end, the development of a new digital crisis infrastructure, a secure communication network and of a crisis management platform are included in the sub-measure.

5. Digital Bozar (sub-measure 5). This sub-measure aims at adopting digital technologies, which shall make it possible to create 100% digital events (such as music, exhibitions, BOZAR LAB) with the aim of gaining access to new markets for artists and cultural partners and increasing access to culture for people and groups located remotely (including in other countries), or facing mobility challenges (such as elderly people). To this end the sub-measure includes an infrastructure component with the laying of optical fiber between the Royal Theatre of La Monnaie and the Centre for Fine Arts, a cybersecurity component and the deployment of digital activities including IT training for the staff.

6. Digital public services for citizens and businesses (sub-measure 6). This sub-measure aims at putting in place a strategy for radical transformation of the current model of related administration services and increase the uptake of digital public services by citizens and businesses. It provides for the development of a digital platform for the interaction between the government and the citizens and businesses.

7. The digitalisation of the Federal Agency for the Safety of the Food Chain (AFSCA) (sub-measure 8). The sub-measure aims to contribute to the digital transformation of the Federal Agency for the Safety of the Food Chain (AFSCA), which is responsible for monitoring the safety of the food chain and the food quality. In particular, this project aims at modernising existing applications and better integrating them to form a coherent system, ensuring rapid, efficient and fully digital processing of files. The project includes the digitalisation of the internal procedures, the development of two applications, one for the operators and one for the consumers and the setting-up of an open data platform.

8. The digitalisation of the Federal Public Service (FPS) Foreign Affairs and its services (sub-measure 9). This sub-measure aims at modernising the Foreign Affairs administration. This project comprises the development of several applications, including the recast of Belpas (the passport applications), which is necessary in view of the evolution and modernisation of passports and biometric data. The sub-measure also involves the development of a new application for the management of the human resources, the digitalisation of the consular registers and the modernisation of the IT network.

9. A Single Digital Gateway (sub-measure 10). This sub-measure aims at fostering a far-reaching transformation of the Belgian administrative landscape to support the recovery and reap the full potential of the internal market. In order to achieve this, full use of Belgian authentic sources shall be made which consist in databases where genuine data are kept and which serve as a reference for data on persons and legal fact. Such databases allow for simplification since the data may be reused by all the authorities having the appropriate authorizations and no longer shall be requested from citizens or businesses, in application of the 'Only once' principle. Furthermore, the sub-measure aims at maximising secure access to public online applications through electronic identification, digitalising back-office functions related to citizens and businesses; extend the Single Digital Gateway core support services to fully user-centric support services by sending questions from citizens and businesses to targeted administrations and by monitoring statistics.

10. The unleashing of government data (sub-measure 11). This sub-measure aims at reaching a greater overview of available government data through the expansion of a register of authentic sources, increase the availability and reliability of data and make it easier to access them. Furthermore, this sub-measure aims to increase trust in the correct use of data, or maximise its re-use through standardisation and the use of artificial intelligence. This project includes the support for the extension of a number of platforms and the development of new services or expansion of existing services.

11. The digitalisation of the Federal Public Service (FPS) Employment (sub-measure 12). This sub-measure consists of two parts. The first part aims at the creation of a digital individual training account for each person participating to the labour market dynamics. The account shall contain a number of information such as a skills assessment, trainings followed and a formal validation of the acquired competencies. This account shall be accessible to the concerned people. 36 The second part aims at the creation of a database to monitor changes in working conditions. A user-friendly website shall be created for the presentation of the collected data and of the relative reports.

Milestone 54 consists in the definition and approval of requirements for nine of the above sub-measures, namely sub-measures 2, 3, 4, 5, 6, 8, 9, 11 and 12.

Milestone 54 is the first step of the implementation of this investment. It is followed by milestone 55 related to the completion of the same nine sub-measures, namely sub-measures 2, 3, 4, 5, 6, 8, 9, 11 and 12. The investment has a final expected date for implementation in June 2026.

## 2. Evidence:

### **For Investment: I-2.05: Sub-measure 2: ‘Digitalisation of judicial business processes’ of the Federal State**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note from 15 March 2024	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	Plan for the Recovery and Resilience Facility (RRF) Digitalisation of judicial processes: Update on achievements by the Federal Police, 17 August 2024	Document defining the requirements of the sub-measure and outlining the achievements carried out under this sub-measure.
3	Letter by the competent Minister signed 30 September 2022	Letter by the Minister of the Interior, Institutional Reform and Democratic Renewal, signed 30 September 2022 and approving the requirements defined by the competent administration.

### **For Investment I-2.05: Sub-measure 3: ‘Support to the development of digital tools and the increased digitalisation of the foreign trade agency’ of the Federal State**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note from 15 September 2022	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	The minutes of the 78th meeting of the board of directors of 17 June 2021	Page 10 of the document describes the three projects grouped under this sub-measure.
3	Details of the cost for the Synergy project by the Foreign Trade Agency from April 2021	The document contains a table with the Synergy 2021 features and their cost.
4	Excerpt of the technical specifications for the app for Belgian State visits “Appwise” by Appwise and Wisemen from 30 September 2021	This is an excerpt of the technical specifications for the app, containing specifications on the app’s technology, architecture and design.

5	Quote from Oodrive signed by the competent administration from 10 August 2021	The document contains the conditions of the contract for the Oodrive service.
6	List of the users of the Oodrive platform from 3 September 2024	The list contains the users of Oodrive within the Foreign Trade Agency.
7	Email from 9 September 2021 with Teams link for Oodrive training	The email contains the containing a Teams link, the weblink to a tutorial on the use of Oodrive and the contact of the trainer.
8	Letter of 19 September 2022 by the Foreign Trade Agency addressed to the President of the Board of Directors of the Federal Public Service for Foreign Affairs	The letter requires the approval of the President of the Board of Directors of the Federal Public Service for Foreign Affairs of the technical specifications for the sub-measure.
9	Foreign Trade Agency's website: <a href="http://www.abh-ace.be/en/about-bfta">www.abh-ace.be/en/about-bfta</a>	The website describes the Foreign Trade Agency's missions.
10	Protocole for the granting of subsidy	This is a protocol between the Minister of Foreign Affairs and the Foreign Trade Agency for the granting of a subsidy under the RRF for sub-measure 3 on the digitalisation of the Foreign Trade Agency.

#### **For Investment I-2.05: Sub-measure 4: 'Crisis management and security' of the Federal State**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note from 22 January 2024	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	Recovery and Investment Plan (RRF) Progress Report and interim steps note of the National Crisis Centre of 3 April 2023	Recovery and Investment Plan (RRF) Progress Report and interim steps note of the National Crisis Centre (FPS Home Affairs) defining the requirements of the sub-measure. It also approves the requirements through the signature of 12 April 2023 by the Head of the National Travel Targeting Centre, and of 3 April 2023 by the Chairwoman of the Executive Committee of the SPF Home Affairs.
3	Note to the Council of Ministers from the State Secretary competent for Digitization, in charge of Administrative Simplification, Privacy, Buildings Administration and the Federal Cultural Institutions, 26 November 2021	Note outlining the needs of the National Crisis Centre by clarifying the requirements related to linked to the development of a new digital crisis infrastructure.

4	Note to the Minister of the Interior, Institutional Reform and Democratic Renewal on the state of play of a secure network and digital transition from 29 April 2022	This note gives a state of play of the project related to the development of a secure communication network.
5	Note to the Minister of the Interior, Institutional Reform and Democratic Renewal on the state of play on Paragon from 29 April 2022	This note gives a state of play of the project related to the development of a crisis management platform.

**For Investment I-2.05: Sub-measure 5: ‘Digital Bozar’ of the Federal State**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note from 26 February 2024	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	Specification of the optical fiber connection between the Centre for Fine Arts, Bozar and its partners by Bozar	The document summarizes the specifications for the laying of optical fiber between the Royal Theatre of La Monnaie and the Centre for Fine Arts.
3	Award decision of the tender attribution to NTT for Optical Fibre from 1 June 2022	
4	Response to call for tenders IT10876 by NTT for Optic Fibre from 9 May 2022	Proposals of technical solutions for the laying of optical fibers by the company NTT together with Eurofiber.
5	Email from the ICT and Digital Manager of Bozar to Quant.be regarding the provision of a firewall from 2 June 2022	The email describes the solution required.
6	Venn report on a global analysis of cybersecurity at Bozar from January 2022	The report is an overall analysis of cybersecurity at Bozar.
7	Technical specifications for the public procurement for the development of a digital strategy for Bozar from 2021	The documents define the three constitutive elements of the digital strategy.
8	Motivated award decision for the development of a digital strategy (part 1) for Bozar from 11 October 2021	
9	Motivated award decision for the implementation of a Big Data	

	approach for Bozar from 21 October 2022	
10	Motivated award decision for the implementation of a Marketing Automation tool for Bozar from 12 August 2022	
11	Letter to the Minister for Foreign Affairs, European Affairs and Foreign Trade, and Federal Cultural Institutions from 15 December 2023	The letter describes the defined requirements for the digitalisation of Bozar, approved by the Minister's signature.

**For Investment I-2.05: Sub-measure 6: 'Digital government for citizens and businesses' of the Federal State**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note of 21 September 2022	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	DIGIGOV DIGITAL GOVERNMENT RRF EU M54 REPORTING SUMMARY, prepared by BOSA, June 2022	Summary of the DigiGOV project prepared by BOSA.
3	DIGIGOV. DIGITAL GOVERNMENT RRF EU M54 REPORTING - TECHNICAL SPECIFICATIONS prepared by BOSA, June 2022	Technical Specifications of the DigiGOV project prepared by BOSA.
4	Note addressed to and signed by the State Secretary competent for Digitization, in charge of Administrative Simplification, Privacy, Buildings Administration and the Federal Cultural Institutions on 5 July 2022	Letter by the competent Ministry, the State Secretary competent for Digitization, in charge of Administrative Simplification, Privacy, and Buildings Administration, signed by the State Secretary and approving the requirements.

**For Investment I-2.05: Sub-measure 8: 'Digitalisation of the AFSCA's services for operators and consumers' of the Federal State**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note from 29 June 2022	Summary document duly justifying how the milestone was satisfactorily fulfilled.

2	Summary report on phase 1 of the DIFA project on the digitalisation of the Federal Agency for the Safety of the Food Chain (AFSCA) services to operators and consumers in June 2022	This is a summary report on the first phase of the project which corresponding to the first milestone of this sub-measure.
3	Special specifications for the public procurement for services having as its object the digital transformation of the Federal Agency for the Safety of the Food Chain (AFSCA) dispatched on 20 June 2022	
4	Letter by the Federal Agency for the Safety of the Food Chain (AFSCA) addressed to and signed by the Minister for Agriculture from 23 June 2023	The letter provides an overview of the work that has been undertaken under the first phase of the project and aims to share the summary report with the conclusions

**For Investment I-2.05: Sub-measure 9: ‘Investment in the digitalisation of the SPF Foreign Affairs and the services offered by the SPF Foreign Affairs’ of the Federal State**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note from 25 November 2022	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	“Passport application process redesign” presentation of August 2020 from IBM	Presentation determining the functionalities of Belpas 2.0.
3	Solution Architecture Choice Description: “Biometric Module” of the FPS Foreign Affairs, 24 November 2022	Solution Architecture Choice Description: “Biometric Module” defining the functional requirements of the project.
4	Special specifications ICT/2022.05 of “Live Enrolment” of the FPS Foreign Affairs, May 2022	Special specifications defining the requirements for the Live Enrolment project by outlining the technical specifications.
5	Architecture Overview: PersoPoint/PersonAll of December 2022 from the FPS Foreign Affairs	Document providing the architecture overview of PersoPoint/ PersonAll.
6	PersonAll/PersoPoint Global Architecture Vision presentation of 8 December 2022 from the FPS Foreign Affairs	Presentation providing a global architecture vision of PersoPoint/ PersonAll.
7	Solution Architecture Choice Description “eLoket” of the FPS Foreign Affairs, 2 November 2022	Solution Architecture Choice Description: “eLoket” defining the functional requirements of the project.

8	Award notification for the Special Specifications n° IT18076 Lot 8 – Information Management of the FPS Foreign Affairs, 7 October 2022	Award notification for the Special Specifications defining the requirements for the “CrisisApplication” outlying the technical specifications.
9	Solution Architecture Choice Description: “Assistance to Belgians” of the FPS Foreign Affairs, 23 November 2022	Solution Architecture Choice Description: “Assistance to Belgians” defining the functional requirements of the project.
10	Cabling note prepared by the FPS Foreign Affairs, Foreign Trade and Development Cooperation, 24 November 2022	Note defining the requirements for the modernisation of the IT network, by specifying the needs of the FPS Foreign Affairs in terms of general and electrical requirements in diplomatic posts.
11	Letter by the competent Ministry FPS Foreign Affairs of 2 December 2022	Letter approving the defined requirements, signed by the Chairwoman of the Executive Committee a.i. on 2 December 2022.
12	Note prepared by the FPS Foreign Affairs on the replacement of LAN switches, 22 November 2024	Note defining the requirements for the modernisation of the IT network, specifying the technical requirements for the replacement of the LAN switches.

**For Investment I-2.05: Sub-measure 11: ‘Unleashing government data’ of the Federal State**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note from 21 September 2022	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	Unleashing Government Data Reporting Milestone EU M54: Summary, prepared by BOSA, Q2 2022	Summary document of the Unleashing Government Data project.
3	Unleashing Government Data RRF program EU Milestone EU M54 Technical Specifications, prepared by BOSA Q2 2022	Technical Specifications of the Unleashing Government Data project.
4	Letter approving the Technical Specifications by the State Secretary competent for Digitization, in charge of Administrative Simplification, Privacy, Buildings Administration and the Federal Cultural Institutions, signed 5 July 2022	Approval by the competent Ministry, the State Secretary competent for Digitization, in charge of Administrative Simplification, Privacy, Buildings Administration and the Federal Cultural Institutions, and signed by the State Secretary on 5 July 2022.
5	Milestone 54, sub-measure 11: UGD Explanations about the development of new services or expansion of existing services by BOSA from 4 October 2024	The document provides further information on the development of new services or expansion of existing services under this sub-measure.

6	The online catalogue of the federal services integrator hosted by BOSA. Available on: <a href="https://dtservices.bosa.be/fr/services/service-integrator-fsb/catalogue-service-integrator">https://dtservices.bosa.be/fr/services/service-integrator-fsb/catalogue-service-integrator</a>	The Federal Service Integrator platform offers a range of web services that provide access to a variety of authentic federal government sources.
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**For Investment I-2.05: Sub-measure 12: ‘Digitalisation SPF Employment’ of the Federal State**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note from 14 September 2022	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	Individual Learning Account Compilation of Evidence, by FPS Employment, signed on 5 July 2022	Compilation of evidence for the Individual Learning Account project, including the <i>Project implementation program</i> (Annex 3), signed by the Minister of Labour on 5 July 2022. The cover letter approves the requirements for the Individual Learning Account project.
3	Datamining Compilation of Evidence, by FPS Employment, signed on 23 June 2022	Compilation of evidence for the Datamining project, including the Cover page, the <i>2022 - 2026 Project (RRF) DATAMINING of occupational risks for sustainable work (ongoing)</i> document (Annex 1) and the <i>Framework contract M1124 - Lot 1 - Quotation Analysis and conceptual design for a data website on working conditions and occupational risks</i> (Annex 6). Signed by the Minister of Labour on 23 June 2022. The cover letter approves the requirements for the Datamining letter.

**3. Analysis:**

With respect to sub-measure 2: **‘Digitalisation of judicial business processes’ of the Federal State**, the following should be noted.

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

**The requirements for sub-measures 2 [...] are defined by the competent administrations and approved by the competent Ministry.**

With respect to sub-measure 2: **‘Digitalisation of judicial business processes’ of the Federal State**, the following should be noted.

The competent administration, the Federal Judicial Police, defined the requirements for this sub-measure in the “Digitalisation of judicial processes: Update on achievements” document, hereafter the “Update on

achievements document” (evidence no. 2). The requirements were defined for the gain in efficiency by the Federal Police by solving problems encountered today such as decryption, 5G, internet research, through increased automation of certain actions and use of artificial intelligence tools, through better data management and better understanding of data by the modernisation of forensic centres, and by the purchase of specific software solutions and IT equipment (servers).

The requirements for sub-measure 2 are approved by the competent Ministry through the letter from the Ministry of the Interior, Institutional Reform and Democratic Renewal to the Director General of the Federal Judicial Police. This letter refers to exchanges between the Federal Judicial Police and the Minister of the Interior, Institutional Reform and Democratic Renewal on the acquisitions made by the Federal Judicial Police with the objective of digitalising the judicial business processes, which constitute the requirements for this sub-measure. The letter states that “[the Minister] fully agree[s] with the trajectory set up by [the] units [of the Federal Judicial Police] within the framework of this project”. The letter was signed on 30 September 2022 (evidence no. 3).

Furthermore, in line with the description of sub-measure 2, **the sub-measure shall enable the members of the federal judicial police to gain in efficiency: (i) in solving problems encountered today such as decryption, 5G, internet research**

The requirements defined by the competent administration regard the use of several decryption services and techniques to decrypt encrypted devices, data or applications in a fully furnished and equipped laboratory (p. 10 of the Update on achievements document (evidence no. 2)); the replacement of audio beacons and the designing of a resilient architecture for the acquiring and processing of intercepted data with the arrival of the 5G (p. 19-20); and the deployment of a project to increase the performance of the existing platform for internet access to rapidly process information requests (p. 20).

**(ii) through increased automation of certain actions and use of artificial intelligence tools**

On pages 6-7 of the Update on achievements document (evidence no. 2), the competent administration defined the requirements for the increased automation of certain actions through the modernisation of the Forensic Centre with the objective of digitalising processes to render the analysis of data extracted from seized devices, such as smartphones and personal computers. Further, page 17 of the same document outlines the requirements for the use of artificial intelligence tools such as through the delivery of analytic servers used for operational analytical construction processes, which allows the development of artificial intelligence algorithms.

**(iii) through better data management and better understanding of data by the modernisation of forensic centres**

The requirements for better data management and better understanding of data are defined in the Update on achievements document (evidence no. 2) as the acquisition of devices for the exploitation of open-source intelligence (OSINT) to realise secure and anonymous research (p. 7), the launch of the Cloud project to secure the storage of large amounts of data from the judicial case management system (p. 18), and the designing of resilient architecture to process intercepted data (p. 19). The requirements for the modernisation of forensic centres is defined by: the purchase of fixed stations located in 15 forensic centres across the country to work on the extracted data; the deployment of software needed to enable the basic investigator to navigate and analyse the extracted data; the ordering of storage and tooling servers; the use of tools to strengthen the capacity of the Federal Judicial Police to extract data from vehicles; the installation of firewalls to protect forensic centres; the consolidation of 44 stations in all units of the Federal Judicial Police using the video analytics tool; the ordering of tools to anonymously exploit

open-source intelligence tools; and the purchase of specialised end user equipment (evidence no. 2, pages 6-7).

Furthermore, in line with the description of the sub-measure, the sub-measure includes **(iv) the purchase of specific software solutions and IT equipment (servers)**

The two sub-projects mentioned above each include the purchase of specific software solutions and IT equipment such as the deployment of hardware and software for forensic centres (p. 8-10 of the Update on achievements document (evidence no. 2)) and exploitation software necessary for basic investigation (p. 6) the investment into specialised end-user equipment such as computers for specialised investigators (p. 7), the acquisition of servers and licences for data analytics (p.17-18) and the replacement of audio beacons for 5G interception (p. 19).

With respect to sub-measure 3: **‘Digitalisation of judicial business processes’ of the Federal State**, the following should be noted.

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

**The requirements for sub-measures [...] 3 [...] are defined by the competent administrations and approved by the competent Ministry.**

The Foreign Trade Agency’s mission is to support the regions and the federal government in promoting foreign trade. This includes organising economic missions and contributing to the organisation and the economic aspects of State Visits abroad by the King and the Queen of Belgium (evidence no. 9). The competent administration, the Foreign Trade Agency, defined the requirements for development of the digital tools in the Protocol for the granting of the subsidy (evidence no. 11) which describes the three digital projects developed under this sub-measure (p. 2):

1. The upgrade and migration of the platform “Synergy” dedicated to State visits and royal missions and the introduction of new functionalities;
2. The creation of a new mobile application for state visits “Appwide”;
3. The acquisition of an IT system “Oodrive” which enables large volumes of data to be sent securely.

The requirements were approved by the competent administration, the Foreign Trade Agency, through a letter sent by the Foreign Trade Agency to the President of the Federal Public Service for Foreign Affairs with the cover note (evidence no. 8) and technical specifications for the digitalisation of foreign trade project in annex for her approval (evidence no. 8). The letter was subsequently approved and signed by the President of the Federal Public Service for Foreign Affairs on 26 September 2022.

Furthermore, in line with the description of the sub-measure, **the sub-measure aims at supporting trade through (i) the development of digital tools and increased digitalisation of the Foreign Trade Agency to enable a modern and digital transition of federal services in charge of promoting foreign trade.**

The competent administration, the Foreign Trade Agency, defined the requirements for development of the digital tools. In the Cost details of the Synergy project (evidence no. 3), the competent authorities defined the requirements for upgrading the Synergy platform and for the introduction of new functionalities to the platform such as the optimization of the generation of specific reports, fixing issues with the database such as allowing to export data into Excel sheets and optimizing the generation of chair cards for events (including the row and seat number for example). Further, in the excerpt of the technical

specifications (evidence no. 4), the competent administration defined the requirements for the development of the app for the Belgian State visits “Appwise”. These requirements cover the project organisation (p. 4), technology (p. 5), architecture (p. 7) and design of the app (p. 11-12).

Furthermore, in line with the description of the sub-measure, the sub-measure includes **(ii) the development of a specific application and the corresponding training for 25 users**

The competent administration, the Foreign Trade Agency, defined the requirements for development of a specific application which enables large volumes of data to be sent securely (“Oodrive”) and the corresponding training for 25 users. The quote by Oodrive agreed and signed by the Director General of the Foreign Trade Agency (evidence no. 5) and it defines the requirements for this digital tool. The Belgian authorities provided the list of users in the Foreign Trade Agency of the Oodrive platform (evidence no. 6). They also provided the invitation emails with the subject “Training OODRIVE PLATFORM” (evidence no. 7) sent to 25 people and containing a Teams link, a weblink to a tutorial on the use of Oodrive and the contact of the trainer demonstrate that the competent administration defined the requirements and organised the training for 25 users.

With respect to sub-measure 4: **‘Crisis management and security’ of the Federal State**, the following should be noted.

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

**The requirements for sub-measures [...] 4 [...] are defined by the competent administrations and approved by the competent Ministry.**

The competent administration, the National Crisis Centre (NCCN) of the FPS Home Affairs, defined the requirements for the development of a new digital crisis infrastructure (evidences no. 2 and 3), a secure communication network (evidence no. 4) and a crisis management platform (evidence no. 5).

The requirements for sub-measure 4 are approved by the competent Ministry, the SPF Home Affairs, through the Recovery and Investment Plan (RRF) Progress Report and interim steps note of 3 April 2023 (evidence no. 2). The latter outlines the requirements of all projects of the sub-measure. It was sent to the Director of International Relations of the FPS Home Affairs and approved by the signature on 12 April 2023 by the Head of the National Travel Targeting Centre. On 3 April 2023 it was also approved by signature of the Chairwoman of the Executive Committee of SPF Home Affairs.

Furthermore, in line with the description of the sub-measure, the sub-measure includes **(i) the development of a new digital crisis infrastructure**

In the Recovery and Investment Plan (RRF) Progress Report and interim steps note (evidence no. 2), the competent administration, the National Crisis Centre (NCCN) of the FPS Home Affairs, defined the requirements for the roll-out of a digital crisis infrastructure through the move of the National Crisis Centre into a new building with modern infrastructure which is adapted to current and future regulatory needs (page 6). The Note to the Council of Ministers of 26 November 2021 from the State Secretary competent for Digitization, in charge of Administrative Simplification, Privacy, and Buildings Administration (evidence no. 3), outlines the needs of the NCCN by clarifying the requirements linked to the safety, security, surface area, and site location of the future building of the NCCN, as well as for the placing of a data centre in the future building (pages 3-6).

### **(ii) a secure communication network**

In the Note to the Minister of the Interior, Institutional Reform and Democratic Renewal of 29 April 2022 on the state of play on a secure network and digital transition (evidence no. 4), the competent administration, the FPS Home Affairs, defined the requirements for the development of a highly secure communication network between the different security and intelligence services involved in crisis management. Pages 4-5 of the document define the requirements with which the network should comply, namely, robustness and resilience, continuous availability and being highly secure.

### **(iii) a crisis management platform**

In the Note to the Minister of the Interior, Institutional Reform and Democratic Renewal of 29 April 2022 on the state of play on Paragon (evidence no. 5), the competent administration defined the requirements for the development of an overarching platform for crisis management named Paragon. Paragon will integrate more than 200 data sources and provide data to end-users (local level, emergency services, regional level, federal and international stakeholders) and serve as a crisis management platform to enable the Crisis Centre, its stakeholders to manage contingency planning and organise crisis management (page 1). On pages 3-4 of the same document, the competent authorities defined the requirements for this project, namely its governance team, the development of an Alfa version and the timeline for the completion of the project.

Furthermore, in line with the description of the sub-measure, **a highly available and secure communication network among security partners involved in national crisis management needs to be developed to allow the release of confidential and classified information.**

The development of a highly available and secure communication network among security partners involved in a national crisis management, to allow the release of confidential and classified information, is evidenced by the Note to the Minister of the Interior, Institutional Reform and Democratic Renewal of 29 April 2022 on the state of play on a secure network and digital transition (evidence no. 4). The Note notably defines the requirements for the development of a highly secure communication network between the different security and intelligence services involved in crisis management. Pages 4-5 of the document define the requirements with which the network should comply, namely, robustness and resilience, continuous availability and being highly secure.

With respect to sub-measure 5: **'Digital Bozar' of the Federal State**, the following should be noted.

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

**The requirements for sub-measures [...] 5 [...] are defined by the competent administrations and are approved by the competent Ministry.**

The competent administration, Bozar, defined the requirements for this sub-measure, namely:

- the requirements for an infrastructure component with the laying of optical fiber between the Royal Theatre of La Monnaie and the Centre for Fine Arts (evidence no. 2),
- the requirements for a cybersecurity component through the acquisition of a firewall (evidence no. 5);

- the requirements for the deployment of digital activities such as an e-ticketing software, the training of 60 Bozar employees on digitalization, improving marketing strategies using big data (evidence no. 7).

The requirements for sub-measure 5 are approved through a letter from 15 December 2023, from the CEO & Artistic Director of the competent administration Bozar and addressed to the competent Minister, the Minister for Foreign Affairs, competent for federal cultural institutions for her approval (evidence no. 11). The letter is signed by the Minister for Foreign Affairs under the mention “decision of approval by the competent Minister”. The letter describes the digital projects under sub-measure 5, including the laying of optic fibre, cybersecurity and digital activities and contains in annex the requirements defined for each project.

Furthermore, in line with the description of the sub-measure, the sub-measure includes **(i) an infrastructure component with the laying of optical fiber between the Royal Theatre of La Monnaie and the Centre for Fine Arts**

In the specifications of the optical fiber connection between the Centre for Fine Arts, Bozar and its partners (evidence no. 2), the competent administration BOZAR defines the requirements for the laying of optical fiber between the Royal Theatre of La Monnaie and the Centre for Fine Arts (link 2), namely the link via one pair of single mode optical fibers (dark fibers) with fiber optic connectors. The award decision by Bozar from 1 June 2022 (evidence no. 3) approved the tender attribution for the laying of optical fiber between the Royal Theatre of La Monnaie and the Centre for Fine Arts to NTT. The offer by NTT (evidence no. 4) which was accepted by the competent administration Bozar also contains the requirements for the laying of optical fiber between the Royal Theatre of La Monnaie and the Centre for Fine Arts Bozar.

**(ii) a cybersecurity component**

In the email from the ICT & Digital Manager of the Fine Arts Center Bozar to Quant.be (evidence no. 5), the competent administration Bozar defines the requirements for a cybersecurity component namely, the acquisition and installation of a firewall from FORTINET and a maintenance contract.

**(iii) the deployment of digital activities including IT training for the staff**

In the technical specifications for the public procurement for the development of a digital strategy for the Fine Arts Center Bozar (evidence no. 7), the competent administration Bozar defines the requirements for the deployment of digital activities, including IT training for the staff. More specifically, page 24 of the same document defines the objectives of the digital strategy, namely the development of a structural and strategic approach for the digitalization of Bozar, an e-ticketing software, the training of 60 Bozar employees on digitalization, improving marketing strategies using big data and the distribution of socio-cultural digital media events. The three award decisions by Bozar approved the tender attribution for the three constitutive elements of the development of a digital strategy.

With respect to sub-measure 6: **‘Digital government for citizens and businesses’ of the Federal State**, the following should be noted.

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

**The requirements for sub-measures [...] 6 [...] are defined by the competent administrations and approved by the competent Ministry.**

The competent administration BOSA defined the requirements for the development of a digital platform for the interaction between the government and the citizens and businesses in the DigiGov Summary document (evidence no. 2) and in the Technical Specifications (evidence no. 3). As explained in the DigiGov Summary document (evidence no. 2), the DigiGov programme aims at elaborating a strategy for the radical transformation of the current model government services to adapt to the increasing uptake by citizens and businesses of digital government services. One of the main goals of this programme includes maximisation of opportunities for every citizen and business to use online services (page 4).

The requirements for sub-measure 6 are approved by the competent Ministry through a letter by the State Secretary competent for Digitization, in charge of Administrative Simplification, Privacy, Buildings Administration and Federal Cultural Institutions. The letter contains the technical specifications in annex and was signed by him on 5 July 2022 (evidence no. 4). The letter states that “[the Minister] herewith approve[s] the summary and technical specifications requested in compliance to finalize Milestone 54”.

Furthermore, in line with the description of the sub-measure, **the sub-measure provides for the development of a digital platform for the interaction between the government and the citizens and businesses.**

In the Technical Specifications of June 2022 (evidence no. 3), the competent administration BOSA defined the requirements for this sub-measure by outlining the different projects of the DigiGov programme. More specifically, pages 4 to 8 of the same document define these projects as (a) the creation of digital personalized citizen gateways for citizens and businesses to use and interact with the services of public administrations, (b) the creation of modular ecosystems of reusable digital building blocks for e-Gov procedures, (c) the integration and system communication with partners, and (d) the development of the enterprise architecture (evidence no. 3). In the same document, the competent administration further defines the major milestones and key deliverables of this sub-measure.

With respect to sub-measure 8: **‘Digitalisation of the AFSCA’s services for operators and consumers’ of the Federal State**, the following should be noted.

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

**The requirements for sub-measures [...] 8 [...] are defined by the competent administrations and approved by the competent Ministry.**

The DIFA projects by the Federal Agency for the Safety of the Food Chain (AFSCA) aims at the digital transformation of AFSCA through the digitalisation of internal procedures and of AFSCA’s communication to operators and consumers. The competent administration, AFSCA, defined the requirements for this sub-measure in the Special specifications for the public procurement for the digital transformation of AFSCA (evidence no. 3) which define the objectives of the digital transformation of AFSCA as threefold (page 4-5):

1. The digitalisation of internal work processes;
2. The digitisation of services to external parties and of communication to these parties, in particular operators and consumers, through the integration of applications and the development of new applications;
3. The provision of information and data in a public context (Open Data).

The requirements for sub-measure 8 are approved by the competent Ministry through the letter sent by AFSCA to the Minister for Agriculture, the competent Ministry. The letter informs the Minister of the completion of the first phase of the DIFA project, shares the summary report on the first phase of the project and informs him of the drafting of the technical specifications. The letter was approved viz the signature of the Minister on 22 June 2022.

Furthermore, in line with the description of the sub-measure, **the sub-measure includes (i) the digitalisation of the internal procedures**

On page 41-42 of the summary report on the first phase of the DIFA project (hereafter “summary report”), the competent administration, AFSCA, defined the requirements for the digitalisation of the internal procedures in the form of priorities, including data integration, the integration and upgrade of the registration tools used by AFSCA and risk profiling (addressing the lack of a solution that uses the activities declared by a food operator to assign a risk to this operator).

**(ii) the development of two applications, one for the operators and one for the consumers**

On page 41-42 of the summary report, the competent administration defined the requirements for an application for consumers and for an application for operators in the form of priorities. The priorities identified include a user-friendly website, guidance to operators on how to be compliant and less work/faster administration. Page 44 of the same document further defines the processes for operators, for consumers and for inspectors and defines a blueprint for each process.

**(iii) the setting-up of an open data platform.**

On page 48 of the summary report, the competent authorities defined opportunities for open data. Page 51 further defines the requirement to enable open data, namely the need to implement a data warehouse that records all data cleaned and arranged.

With respect to sub-measure 9: **‘Investment in the digitalisation of the SPF Foreign Affairs and the services offered by the SPF Foreign Affairs’ of the Federal State**, the following should be noted.

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

**The requirements for sub-measures [...] 9 [...] are defined by the competent administrations and approved by the competent Ministry.**

The competent administration, the FPS Foreign Affairs, Foreign Trade and Development Cooperation (hereafter “FPS Foreign Affairs”) defined the requirements for this sub-measure, which are the development of several applications (evidences no. 2, 3 and 4), the development of a new application for the management of the human resources (evidences no. 5 and 6), the digitalisation of the consular registers (evidences no. 7, 8 and 9), and the modernisation of the IT network (evidences no. 10 and 12).

The requirements for sub-measure 9 are defined and approved by the competent Ministry, through a letter from the Budget and Management control staff Director of the Ministry FPS Foreign Affairs, which refers to the cover letter as well as the documents containing the technical specifications for this sub-measure as annexes, addressed to and signed by the Chairwoman of the Executive Committee a.i. of the FPS Foreign Affairs on 2 December 2022 (evidence no. 11), giving agreement for the technical specifications.

Furthermore, in line with the description of the sub-measure, **this project comprises the development of several applications, including (i) the recast of Belpas (the passport applications), which is necessary in view of the evolution and modernisation of passports and biometric data.**

The project comprises of the development of several applications, including the recast of the passport application Belpas and the Live Enrolment application. In the “Passport application process redesign” presentation prepared by IBM for the FPS Foreign Affairs, the competent administration, the FPS Foreign Affairs defined the requirements for the recast of Belpas (the passport applications) by determining the functionalities for a modern and solid passport application, Belpas 2.0 (evidence no. 2, slide 2). The recast of Belpas also includes the creation of a solution for the registration of biometric data of applicants at the diplomatic post, in order to notably meet GDPR data protection standards and prevent the applicant from the need to come back for the request. The requirements for the latter are defined in the Solution Architecture Choice Description document for the Biometric Module (evidence no. 3). Further, in the Special specifications ICT/2022.05 (evidence no. 4)), the FPS Foreign Affairs defined the requirements for the Live Enrolment application, which concerns the digital taking of ICAO-compliant pictures needed for the issuing of passports.

Furthermore, in line with the description of the sub-measure, the sub-measure also involves **(ii) the development of a new application for the management of the human resources**

For the development of a new application for the management of the human resources, the FPS Foreign Affairs defined the requirements for the PersonAll application, which aims to replace the current human resource management application, Perall, which manages all employees' personal and administrative data. The “Architecture Overview: PersoPoint/PersonAll” document and “PersonAll/PersoPoint Global Architecture Vision” presentation (evidence no. 5 and 6) outline the current ecosystem weaknesses, including the obsolescence of Oracle, the high number of tools used for human resource and personnel management, the lack of automation of some business processes and the impossibility to fully comply with GDPR. The “Architecture Overview: PersoPoint/PersonAll” document (evidence no. 5) further outlines the technical requirements for the transition to a new application for the management of the human resources in five stages (pages 4 and 5).

**(iii) the digitalisation of the consular registers**

The project comprises the digitalisation of the consular registers through the digitalisation of several services, including the online registration of Belgians residing abroad, the modernisation of a crisis management application, and the development of an application for the management of consular assistance for Belgian citizens abroad.

In the Solution Architecture Choice Description document of 24 November 2022, the FPS Foreign Affairs defined the requirements of “eLoket” related to the online registration of Belgians residing abroad at their relevant consulate, by outlining the functional requirements of this project (evidence no. 7). In the Award notification for the Special Specifications n° IT18076 Lot 8 – Information Management of 7 October 2022, the FPS Foreign Affairs defined the requirements for the “CrisisApplication” (evidence no. 8), related to crisis management in situations such as security, health, climate, or politically-related crises. The project foresees the modernisation of the application which manages the crisis response towards Belgian citizens residing abroad or travelling in the area concerned. Evidence no. 8 outlines the technical specifications of the project. Further, in the Solution Architecture Choice Description document of 23 November 2022, the FPS Foreign Affairs defined the requirements for the “Assistance to Belgians” application related to the implementation of a ‘case management’ solution for the management of consular assistance for Belgian citizens abroad, by outlining the functional requirements of this project (evidence no. 9).

**(iv) the modernisation of the IT network.**

In the Cabling note of 24 November 2022, the FPS Foreign Affairs defined the requirements for the renovation of the IT network of Belgian diplomatic posts, by specifying the needs of the FPS Foreign Affairs in terms of general and electrical requirements for the electrotechnical installations, and technical instructions on the cabling of the network (evidence no. 10). Further, in a note prepared by the FPS Foreign Affairs on 22 November 2024, the competent administration defined the requirements for the replacement of the Local Area Network (LAN) equipment in the Ministry's main buildings in Brussels (evidence no. 12). The replacement concerns core switches (which are the vertebral column of the IT network), distribution switches (covering the distribution throughout the buildings) and access switches (which connect the core switches with the devices of end users) (evidence no. 12).

With respect to sub-measure 11: **'Unleashing government data' of the Federal State**, the following should be noted.

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

**The requirements for sub-measures [...] 11 [...] are defined by the competent administrations and approved by the competent Ministry.**

The FPS Policy and Support (*Beleid en Ondersteuning & Stratégie et Appui* (BOSA)) contributes to a modern administration at the service of citizens and businesses. The competent administration BOSA defined the requirements for this sub-measure in the Technical Specifications document (evidence no. 3) which outlines the five tracks of the 'Unleashing Government Data' programme. This programme aims to support the digital transformation of the federal government and expand the usability and added value of government data, through investments in existing platforms and focusing more on intelligent services amongst other.

The requirements for sub-measure 11 have been approved by the competent Ministry through a letter from 5 July 2022 by the State Secretary for Digitization, in charge of Administrative Simplification, Privacy, Buildings Administration and the Federal Cultural Institutions. The letter states "I herewith approve the summary and technical specifications requested", it is signed by the State Secretary and it contains as annexes the Summary document and Technical specifications document (evidence no. 4).

Furthermore, in line with the description of the sub-measure, **this sub-measure aims at reaching a greater overview of available government data through the expansion of a register of authentic sources, increase the availability and reliability of data and make it easier to access them.**

On page 4 of the Technical Specifications document, the competent administration BOSA defined five objectives for the project which include increasing insight into the available government data (track 1), increasing the availability and reliability of government data (track 2), facilitating easy access to data (track 3), maximizing the reuse of government data (track 4), and strengthening trust in the correct use of government data (track 5).

More specifically, on pages 10-11 of the Technical Specifications document, the competent administration BOSA defined the requirements for 'Track 1: Creating Data Insight' which aims to expand the register of authentic sources, develop an inter-federal data strategy and map the information system to enable visualization of the data life cycle (from which source does the data come, what transformations has it undergone).

Furthermore, in line with the description of the sub-measure, **this sub-measure aims to increase trust in the correct use of data or maximise its re-use through standardisation and the use of artificial intelligence.** On pages 10-11 of the Technical Specifications document, the competent administration BOSA defined the requirements for 'Track 4: Creating smart data services'. This track aims to maximize the reuse of government data by facilitating smart data, processes and results through data standardisation, data merging, the use of artificial intelligence (automated data analytics, etc.). It will involve data anonymization to increase the availability of government data and enable the right data to be accessible for the right data consumer (separate and anonymize various data according to type of user, such as government agencies, NGOs, businesses, citizens, for whom different needs apply). A quality review of data made available is also foreseen.

Furthermore, in line with the description of the sub-measure, the sub-measure includes **(i) the support for the extension of platforms**

On pages 4-5 of the Technical Specifications, BOSA, the competent administration defines that the 'Unleashing Government Data' programme, which includes the expansion of the Federal Service Platform (FSP) where government data is exchanged. The requirements defined by the competent administration BOSA includes additional investments in existing platforms of the federal services integrator through the purchase and implementation of additional licenses and infrastructure, expansion of the archiving and reporting solutions and the setting up of working groups and events on Artificial Intelligence and standards (page 7). Within BOSA, the Federal Service Integrator (FSI) is the Federal Administration's platform for the secure exchange of electronic data.

**(ii) the development of new services or expansion of existing services**

BOSA offers a range of web services that provide access to a variety of authoritative federal government data sources grouped into families. A family consists of Web services that are related by their functional content and/or source (evidence no. 5). The 'Unleashing Government Data' programme aims to provide a more proactive service to federal organizations, citizens and businesses through the expansion of existing services (evidence no. 5). The expansion of services includes new tools to facilitate onboarding (track 3), the provision of technical documentation in simple and accessible language (track 2), a new website that allows citizens to better explore, consult and use the available datasets and an improvement of the overall platform by applying artificial intelligence (track 4) (evidence no. 5). More specifically, on pages 15-16 of the Technical Specifications document, the competent administration BOSA defined the requirements for 'Track 3: Facilitating smooth access to data' which aims at making access to government data as user-friendly as possible. The requirements, referred to as deliverables, include a series of portals, processes and new features such as various access options (application programming interface (API) ecosystem, data downloads, mobile apps, web apps), promoting interoperability and standards. On pages 21-22 of the Technical Specifications, the competent administration BOSA defined the requirements for 'Track 5: MyGovernmentData' which aims at delivering a portal where citizens can view their data, manage their data treatment and give their consent. The requirements, referred to as deliverables, include features for Belgian citizens to know where their data is stored and the integration of websites.

With respect to sub measure 12: **'Digitalisation SPF Employment' of the Federal State**, the following should be noted.

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

**The requirements for sub-measures [...] 12 are defined by the competent administrations and approved by the competent Ministry.**

The competent administration, the Federal Public Service (FPS) Employment, defined the requirements for sub-measure 12, which regard the creation of a digital individual training account for each person participating to the labour market dynamics in Annex 3 of the Individual Learning Account Compilation of Evidence document (evidence no. 2). The FPS Employment also defined the requirements for the creation of a database to monitor changes in working conditions and a user-friendly website for the presentation of the collected data and of the report on the changes in working conditions, in Annex 1 of the Datamining Compilation of Evidence document (Context, definition and objectives of the project) (evidence no. 3) and Annex 6 (Framework contract M1124 - Lot 1 - Quotation Analysis and conceptual design for a data website on working conditions and occupational risks), respectively (evidence no. 3).

The requirements for sub-measure 12 are approved by the competent Ministry, the FPS Employment, Labour and Social Dialogue. In a letter from the Project Management Office (PMO) addressed to the Minister of Labour, containing in annex the requirements for the digital individual training account, the Minister approves the requirements through his signature dated 5 July 2022, preceded by the mention 'for approval' (evidence no. 2). Moreover, in a letter from the President of the Executive Committee addressed to the Minister of Labour, containing in annex the requirements for the database to monitor changes in working conditions as well as for the user-friendly website for the presentation of the collected data and of the relative report, the Minister approves the requirements through his signature dated 23 June 2022 (evidence no. 3).

Furthermore, in line with the description of the sub-measure, the first part aims at **(i) the creation of a digital individual training account for each person participating to the labour market dynamics. The account shall contain a number of information such as a skills assessment, trainings followed and a formal validation of the acquired competencies. This account shall be accessible to the concerned people.**

In the project implementation program (Annex 3 of the Individual Learning Account Compilation of Evidence document, evidence no. 2) the competent administration, the FPS Employment, defined the requirements for the creation of a digital Individual Learning Account for each person participating to the labour market dynamics. Namely; the training account must contain a number of information, such as a skills assessment (diplomas, certificates, trainings followed) and a formal validation of the skills acquired, the training rights of the person concerned and a training credit. It will be accessible to the people concerned (page 37).

Furthermore, in line with the description of the sub-measure, the second part aims at **(ii) the creation of a database to monitor changes in working conditions and of a user-friendly website for the presentation of the collected data and of the relative report.**

In the Framework contract M1124, the competent administration, the FPS Employment, defined the requirements by outlying the objectives of the "Datamining of occupational risks for sustainable work" project, by outlying its objective, which is to create a database to monitor changes in working conditions and occupational risks in Belgium, in order to understand which workers are exposed to which risks, and to notably assess the importance of these risks, focus on prevention measures on the most harmful risks, and raise awareness (Annex 1 of the Datamining Compilation of Evidence document (*Context, definition and objectives of the project*) and Annex 6 (*Framework contract M1124 - Lot 1 - Quotation Analysis and conceptual design for a data website on working conditions and occupational risks*), evidence no. 3). Measures are taken to translate the information needs of the users and the available data, as well as a

biannual report on the changes in working conditions, into a website that is clear and user-friendly (evidence no. 1, page 2, and evidence no. 3, page 5).

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 57 - Publication of the Just-on-Web online portal

**Related Measure:** I-2.05 - Digitalisation SPF (Sub-measure 1: Digital transformation of Justice)

**Qualitative Indicator:** The Just-on-Web basic portal is put online

**Time:** Q4 2022

### 1. Context:

The measure aims to accelerate the digitalisation of some administration services of the Federal State. The measure consists of 11 sub-measures covering notably the digital transformation of Justice (sub-measure 1), to which Milestone 57 is linked. This sub-measure aims at increasing the overall level of digitalisation of the Belgian judicial system, which is expected to have a positive impact on its overall efficiency. The sub-measure aims at addressing various identified weaknesses, starting from the digitalisation of the internal processes. The focus shall notably be on investments to tackle the current limitations and inefficiencies by improving case management and introducing data collection automation. In addition, the project aims at increasing the rate of online publication of judgments which is currently low and is essential to help citizens and businesses comply with the law.

This milestone consists of putting the Just-on-Web basic portal online. It shall be the “One Stop” web portal, where individuals, businesses, lawyers and public authorities may access the Just-on-Web base portal and it shall provide a limited number of services such as filing procedural documents in a case, consulting criminal cases with regard to sexual offences, consultation and payment of traffic fines, consultation of personal official acts (such as marriage, adoption), starting a case on the protection of persons.

Milestone 57 is the second step of the implementation of sub-measure 1 on the digital transformation of Justice. It follows the completion of milestone 56 related to the adoption of a Ministerial Decree by the Minister of Justice to set up a Program Management Office with a clear governance structure to digitalise SPF Justice. It will be followed by milestone 58 related to the internal centralization of court decisions, milestone 59 related to the operationalisation of a database for the collection of real-time data, and milestone 60 related to the deployment of a New Case Management System for seven entities.

The investment has a final expected date for implementation in June 2026.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover Note from 25 April 2024.	Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled, including a link to access the one-stop web portal and screenshots for illustration. Link: <a href="https://home.justonweb.be">https://home.justonweb.be</a>
2	Certificate of completion signed by contractor DXC on 10 January 2024.	Certificate attesting the completion of the platform. Certifies that the interactive platform provides for limited number of services such as filing procedural documents in a case (such deeds to create or modify

		a company) and consultation of personal official acts (such as birth, marriage). Signed by the competent authority on 27 July 2024.
3	Certificate of completion signed by contractor IRIS on 10 January 2024.	Certificate attesting the completion of the platform. Certifies that the interactive platform provides the following: consulting criminal cases with regard to sexual offences. Signed by the competent authority on 27 July 2024.
4	Status Report of provided services signed by contractor bpost on 15 January 2024.	Certificate confirming that the Just-on-Web portal is operational and provides consultation and enables payment of traffic fines. Signed by the competent authority on 27 July 2024.
5	Certificate of completion signed by contractor AXI-NSI on 10 January 2024.	Certificate attesting the completion of the platform. Certifies that the interactive platform provides the following: starting a case on the protection of persons. Signed by the competent authority on 27 July 2024.
6	Authentication architecture for the Judicial Protection project <i>(Authenticatie architectuur voor project Rechterlijke Bescherming)</i> by AXI-NSI, received by FPS Justice by e-mail on 25 April 2024.	Document providing information on the authentication architecture for the Judicial Protection project.
7	Functional Analysis of the ConsultOnline 2.1 by IRIS for FPS Justice, 7 December 2021.	Functional analysis for the ConsultOnline 2.1 project by SPF Justice.
8	JustOnWeb Homepage Workshops Report by Monekyshot for FPS Justice, 9 March 2023.	Report by Monkeyshot on the Just-on-Web Homepage Workshops summarizing the results of the workshops organized in the context of the assignment of the Federal Public Service (FPS) Justice to Monkeyshot to provide support in the User Experience Design of the Just-on-Web homepage.
9	Screenshots of the Just-on-Web online portal and its functionalities by FPS Justice, updated 24 June 2024.	PowerPoint containing screenshots of the Just-on-Web online portal and its functionalities.
10	“Just-on-Web: new platform for digital fine management” press release of the Ministry of Justice, 28 October 2021	Press release on the launch of the Just-on-Web online portal, published 28 October 2021. Link: <a href="https://justice.belgium.be/fr/nouvelles/communiqués_de_presse/just_on_web_nouvelle_plateforme_pour_la_gestion_numerique_des">https://justice.belgium.be/fr/nouvelles/communiqués_de_presse/just_on_web_nouvelle_plateforme_pour_la_gestion_numerique_des</a>

### 3. Analysis:

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

### **The Just-on-Web basic portal is put on line.**

The Certificates of completion signed by the contractors DXC, IRIS, bpost and AXI-NSI and the competent authority certify that “[the] Just-on-Web basic portal (...) is operational” (evidence no. 2, 3, 4 and 5). A press release of the Ministry of Justice published on 28 October 2021 informs on the launching of the Just-on-Web portal, effective as of 28 October 2021 (evidence no. 10)). The Cover Note (evidence no. 1) signed by the Director of the Digital Transformation Office of the competent authority provides a link to the platform, which is functional. The services provided on the Just-on-Web portal are accessible only through identification via the Federal Authentication Service (FAS) (for individuals), the Access Administrator Management (*Beheer der Toegangsbeheerders*) application (for businesses and public services) and via an additional link with a Digital Platform for Attorneys service (for lawyers).

### **Just-on-Web shall be the “One Stop” web portal,**

The link provided in the Cover Note (evidence no. 1) leads to Just-on-Web which is a one-stop web portal. It centralizes access to various services related to Justice. On the landing page of the Just-on-Web online portal, users have access to the following services:

- “Fines: Consult, pay or contest [...] fines as a citizen or as a company.
- Court File: Consult [...] court file and court decisions from the criminal court, police court or justice of the peace court.
- Judicial Guardianship: Apply for guardianship for vulnerable persons and manage [...] ongoing proceedings.
- Debts: Apply for a collective debt settlement and manage [the] file.
- Extracts and copies: Request, consult or extracts from and download copies of civil status records, such as marriage or birth certificates.
- Deposit documents: Deposit [...] bundles of documents, conclusions or letters with a court using e-Deposit.”

In addition to these services, users also have access to a section dedicated to “specific target groups”, which are:

- “Companies and associations: Set up a company, amend articles of association, manage fines, or consult the database for director bans due to mismanagement.
- Experts: Register as a court expert or as a sworn translator or interpreter or submit a cost statement.”

Finally, users have access to a “Looking for something else?” section, which allows to access information about “Experts and entities” and “Public databases”.

### **where individuals, businesses, lawyers and public authorities may access justice services and information.**

The landing page of the Just-on-Web portal provides the abovementioned services for individuals, as well as information for specific target groups such as companies and associations and experts. The Functional Analysis by SPF Justice of the ConsultOnline 2.1 project (evidence no. 7) informs in Section 2.1 Global scope that digital files can be accessed by citizens and lawyers via the Just-on-Web platform (p. 6). Further evidence provided in the report on Just-on-Web Homepage Workshops (evidence no. 8), which was carried out by Monkeyshot for FPS Justice, identifies the main 3 user groups of the Just-on-Web online portal, which are civilians and enterprises, lawyers and service providers (Section 3.2 Workshop 2: Define,

p. 12). The “Authentication architecture for the Judicial Protection project” evidence document (evidence no. 6) provides evidence that individuals, businesses, lawyers and public authorities, such as collaborators of the Justice service, can access the “Judicial guardianship” service and information of the Just-on-Web portal (p. 2).

**At an initial stage, the Just-on-Web base portal shall provide a limited number of services such as**

**(i) filing procedural documents in a case**

The Certificate of completion signed on 10 January 2024 by the contractor DXC and on 27 July 2024 by the competent authority (evidence no. 2) certifies that the interactive platform provides for the service of filing procedural documents in a case.

**(ii) consulting criminal cases with regard to sexual offences**

The Certificate of completion signed on 10 January 2024 by the contractor IRIS and on 27 July 2024 by the competent authority (evidence no. 3) certifies that the interactive platform provides for the service of consulting criminal cases with regard to sexual offences.

Screenshots of the Just-on-Web online portal (evidence no. 9) as referred to in Annex 4 in the Cover Note provide evidence for the justice services of the platform (which are available only with authentication), including consultation of criminal cases and how to request access to criminal cases, for example regarding sexual offences, on slides 29 to 32.

**(iii) consultation and payment of traffic fines,**

The Status report of provided services signed on 15 January 2024 by the contractor bpost and on 27 July 2024 by the competent authority (evidence no. 4) certifies that the interactive platform provides for the service of consultation and payment of traffic fines.

Screenshots of the Just-on-Web online portal (evidence no. 9) as referred to in Annex 4 in the Cover Note provide evidence for the justice services of the platform (which are available only with authentication), including the consultation and payment of traffic fines, on slides 3 to 27.

**(iv) consultation of personal official acts (such as marriage, adoption)**

The Certificate of completion signed on 10 January 2024 by the contractor DXC and on 27 July 2024 by the competent authority (evidence no. 2) certifies that the interactive platform provides for the service of consultation of personal official acts (such as marriage).

Screenshots of the Just-on-Web online portal (evidence no. 9) as referred to in Annex 4 in the Cover Note provide evidence for the justice services of the platform (which are available only with authentication), including the consultation of marriage (slides 33 to 37) and adoption certificates (slides 38 to 46).

**(v) starting a case on the protection of persons.**

The Certificate of completion signed on 10 January 2024 by the contractor AXI-NSI and on 27 July 2024 by the competent authority (evidence no. 5) certifies that the interactive platform provides for the service of starting a case on the protection of persons.

**Furthermore, in line with the description of the measure, the focus shall notably be on investments to tackle the current limitations and inefficiencies by improving case management.**

The online release of the Just-on-Web online portal in the frame of Investment I-2.05 contributes to the improvement of case management through a number of services accessible on the portal. These services include the consultation of criminal cases with regard to sexual offences via JustConsult (or the “Court file” service on the Just-on-Web portal); “eDeposit” which allows for filing of procedural documents in a case

(or the “Deposit documents” service on the Just-on-Web portal) and the start of a case on the protection of persons via the “Judicial guardianship” service on the Just-on-Web portal.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 62 - Entry into force of the law setting up the Health Data Authority

**Related Measure:** [I-2.06], eHealth Services and Health Data' of the Federal State

**Qualitative Indicator:** Provision in the law indicating the entry into force of the law

**Time:** Q1 2022

### 1. Context:

The objective of this investment is to increase the quality, speed and agility of healthcare through digitalisation of health processes by stimulating innovative digital systems. It also aims at ensuring the administrative and technical means and availability of well anonymised and secure health data. Different actions are foreseen under the project, among which the extension of the e-prescription capabilities, improvement of the quality of prescriptions and cost reductions achieved for instance through clinical decision support systems or the operationalisation of tele-consultancy.

Milestone 62 requires the entry into force of the law setting up the Health Data Authority, defining the role and the responsibilities of the Authority.

Milestone 62 is the first step of the implementation of the investment I-2.06 "eHealth Services and Health Data' of the Federal State", and it is accompanied by milestone 63 in this payment request related to the design and solution for the subprojects. It will be followed by milestone 64 related to the operationalisation of all the subprojects under this measure. The investment has a final expected date for implementation in Q4 2025.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the milestone (including the relevant elements of the target, as listed in the description of target and the corresponding measure in the CID annex) was satisfactorily fulfilled.
2	[M62]-hda-moniteur-belge-belgisch-staatsblad-fr	Copy of the law setting up the Health Data Authority, published on 3 April 2023 in the Official Journal. Link to the law: <a href="#">Loi du 14/03/2023 relative a l'institution et a l'organisation de l'agence des donnees de sante (1) (openjustice.be)</a>

### 3. Analysis:

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

**Entry into force of the law setting up the Health Data Authority, defining in particular the role and the responsibilities of the Authority.**

The law of 14 March 2023 setting up the Health Data Agency was published on 3 April 2023 in the Official Journal (evidence No. 2) and entered into force 10 days after its publication.

The law of 14 March 2023 setting up the Health Data Authority defines the roles and the responsibilities of the Authority.

In particular, Article 4 of the law of 14 March 2023 setting up the Health Data Agency defines the objectives of the Agency:

- Facilitate the availability of health (care) data and health (care) related data;
- Develop and implement a policy strategy on health (care) data and health (care) related data;
- Stimulate innovation, scientific research and policy support research.

The objectives listed above of the Health Data Agency, given their formulation, define at the same time its role and responsibilities .

Article 5 of the law of 14 March 2023 setting up the Health Data Agency describes the tasks, covering also the role, for which the Authority is responsible for in order to achieve the objectives defined above:

- Serve as a preferred point of contact for the reuse of health (care) data and health (care) related data;
- Assume a facilitating role in requests for access to health (care) data and health (care) related data;
- Document and optimise the processes for requesting the reuse of health (care) data and health (care) related data;
- Establish a transparent and effective governance model for the reuse of health (care) data and health (care) related data;
- Implement cross-organizational management of Master Data and Meta Data for the reuse of health (care) data and health (care) related data;
- Advise, on its own initiative or on request, on the standardisation and make healthcare (care) data FAIR and health (care) related data;
- Provide advice on the quality and availability of health (care) data and health (care) related data;
- Advise on the regulation of the reuse of health (care) data and health (care) related data;
- Ensure communication regarding the reuse of health (care) data and health (care) related data;
- Share knowledge and provide training through the establishment of a Health Data Academy;
- Provide advice and support in the reuse of health (care) data and health (care) related data;
- Organise consultation between data holders and data users;
- Create and ensure trust among citizens on the correct use of their health (care) data and health (care) related data;
- Set up a metadata catalog.

The Council Implementing Decision required the entry into force of the law setting up the Health Data Authority. However, the law of 14 March 2023 refers to the Health Data Agency. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, it did not change the nature of the requirement, as it achieved the same result as if the law referred to the term “Authority”. In particular, “Authority” implies having political power, which is given by the law of 14 March

2023 to the “Agency”. 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 milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 63 – Requirements for the subprojects

**Related Measure:** I-2.06 - eHealth Services and Health Data’ of the Federal State

**Qualitative Indicator:** Definition of the requirements for the eHealth subprojects

**Time:**

**1. Context:**

The objective of this investment is to increase the quality, speed of healthcare through digitalisation of health processes. It also aims at ensuring the administrative and technical means and availability of well anonymised and secure health data. Different actions are foreseen under the project, among which the extension of the e-prescription capabilities, improvement of the quality of prescriptions and cost reductions achieved for instance through Prescription Search Support or the operationalisation of tele-monitoring.

Milestone 63 is the second milestone of the investment I-2.06 “eHealth Services and Health Data” of the Federal State”, and it follows the completion of milestone 62, related to the entry into force of the law setting up the Health Data Authority. It will be followed by milestone 64, related to the operationalisation of all the subprojects under this measure. The investment has a final expected date for implementation in Q4 2025.

**2. Evidence provided:**

	Name of the evidence	Short description
1	Cover note	Summary document duly justifying how the milestone (including the relevant elements of the target, as listed in the description of target and the corresponding measure in the CID annex) was satisfactorily fulfilled.

**Evidence provided for subproject 1:**

	Name of the evidence	Short description
1	[M63] Subproject1 Presentation Care Sets	The PowerPoint presentation “Le plan e-Santé fédéral: Care Sets”, dated 19 April 2023 and emitted by the National Institute for Health and Disability Insurance (NIHDI-RIZIV-INAMI), eHealth and SPF Public Health, includes the definition of the BE-SafeShare project and care sets, information on the development of various care sets, etc
2	[M63] Subproject1 Business Documentation Care Set Vaccination	This document, emitted by NIHDI-RIZIV-INAMI, , mainly defines value sets and the business rules for the vaccination care set. The 11 July 2024 version of this

		document was published on the eHealth website: <a href="#">Le projet Be-SafeShare, quels objectifs ?   eSanté (fgov.be)</a>
3	[M63] Subproject1 Business Documentation Care Set Allergy	This document, emitted by NIHDI-RIZIV-INAMI, mainly defines the value sets and the business rules for the allergy care set. The 11 July 2024 version of this document was published on the eHealth website: <a href="#">Le projet Be-SafeShare, quels objectifs ?   eSanté (fgov.be)</a>
4	[M63] Subproject1 Report Management Committee Meeting 9 April 2024	Report of the Management Committee of the eHealth Platform Meeting of 9 April 2024, dated 11 April 2024.

#### **Evidence provided for subproject 2:**

	Name of the evidence	Short description
1	[M63] Subproject2 Requirements Document	This document, emitted by NIHDI-RIZIV-INAMI and dated 27 January 2023, provides, among others, the objectives of the project, the stakeholders and the requirements.

#### **Evidence provided for subproject 3:**

	Name of the evidence	Short description
1	[M63] Subproject3 Law Moniteur Belge	Copy of the Law on Miscellaneous Provisions in Respect of Health & Finance of 18 May 2024, published on 4 June 2024 in the Official Journal. Link to the law: <a href="#">Loi du 18/05/2024 portant dispositions diverses en matiere de sante et de finances (openjustice.be)</a>
2	[M63] Subproject3 PSS Software Architecture	This document, emitted by SMALS and dated 27 October 2022, relates to the software architecture and outlines the various requirements of the subproject and its context.

#### **Evidence provided for subproject 4:**

	Name of the evidence	Short description
1	[M63] Subproject4 VIDIS general presentation	This PPT presentation, emitted by NIHDI-RIZIV-INAMI and dated 22 March 2024, provides, among others, VIDIS' objectives and planning.
2	[M63] Subproject4 bio analyse	This document emitted by NIHDI-RIZIV-INAMI and electronically signed on 9 October 2024, provides the requirement for the subproject.

#### **Evidence provided for subproject 5:**

	Name of the evidence	Short description
1	[M63] Subproject5 telemonitoring	This document, emitted by NIHDI-RIZIV-INAMI and dated October 2024, provides, among others, the scope and the requirements of the subproject.

**Evidence provided for subproject 6:**

	Name of the evidence	Short description
1	[M63] Subproject 6 program and organisation governance	This presentation, dated 10 October 2023 and produced by the Health Data Agency, provides, among others, the requirements in terms of governance, structure and work packages of the subproject.
2	<i>Cahier Spécial des Charges</i> published on BOSA website	Cahier spécial des charges Smals-BB-001.027/2023-EU emitted by SMALS and dated February 2024 has been published on BOSA's website: <a href="https://www.bosa.be/publicprocurement">BOSA - eProcurement (publicprocurement.be)</a> . This documents includes the general, legal and administrative provisions of the tender, as well as particular execution rules and technical provisions.

**Evidence provided for subproject 7:**

	Name of the evidence	Short description
1	[M63] Subproject 7 eoc presentation	This presentation, dated 25 June 2024 and produced by egezondheid/esanté, provides, among others, the scope, the objectives, and the requirements of the subproject.

**Evidence provided for subproject 8:**

	Name of the evidence	Short description
1	[M63] Subproject 8 Innovation criteria	This document, emitted by Federal Public Service Health, Food Chain Safety and Environment and dated 2 October 2024, provides the procedure, selection criteria and governance.

**Evidence provided for subproject 9:**

	Name of the evidence	Short description
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1	[M63] Subproject 9 Alivia presentation	This PowerPoint presentation, emitted by the Care Department of the Flemish Government and dated March 2024, describes the ambition, objectives, planning of the Alivia application.
2	[M63] Subproject 9 <i>Cahier des charges</i>	This document emitted by Federal Public Service Health, Food Chain Safety and Environment and electronically signed on 8 October 2024, defines the general provisions and the process of the tender, as well as the requirements of this subproject.
3	[M63] Subproject 9 <i>Brief uitrol Alivia</i>	This letter emitted by the Care Department of the Flemish Government and dated 8 October 2024, provides the framework conditions for inter-federal deployment of Alivia.

### **Evidence provided for subproject 10:**

	Name of the evidence	Short description
1	[M63] Subproject 10 BIHR presentation	PowerPoint presentation dated May 2024 and emitted by NIHDI-RIZIV-INAMI, provides, among others, the definition of BHIR and its implementation requirements.
2	[M63] Subproject 10 Enterprise architecture	This document, dated 13 June 2024 and emitted by NIHDI-RIZIV-INAMI defines the requirements in terms of the architecture of the project.

### **3. Analysis:**

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

### **The requirements for the different eHealth subprojects are defined**

According to the evidence submitted by Belgium, the Belgian authorities have defined requirements for ten different eHealth subprojects, which are all analysed below.

- subproject 1 : Belgian Careset,
- subproject 2 : Extend electronic prescription capabilities,
- Subproject 3 : Prescription Search Support,
- Subproject 4 : Integrated view on distributed medication information,
- Subproject 5 : Operational telemonitoring,
- Subproject 6 : Health Data Agency program,
- Subproject 7 : Empowerment of the Citizen,
- Subproject 8 : Stimulate Innovation,
- Subproject 9 : Integrated Care,
- Subproject 10 : Assemblage.
- subproject 1 : Belgian Careset

Subproject 1 relates to the Belgian Careset, which represents structured sets of information for electronic data exchange. These sets of information are grouped by domain and around coherent clinical meanings (e.g. Allergy, Vaccination, ...) (evidence No. 3). Evidence No. 1 states that care sets have a standard profile based on the International Fast Healthcare Interoperability Resources (FHIR)-standards which constitute

international standards for health care data exchange. It also states that care sets are governed by business rules. The latter aims to constrain, control and/or help to correctly encode the information by the person responsible for encoding the information in the care sets, and represent the information related requirements for a specific domain. For instance, a secretary can encode a piece of information for a patient, however, the doctor remains responsible for its content. The latter is called recorder. At this stage, the requirements of two Care Sets, Allergy and Vaccination, were defined by the National Institute for Health and Disability Insurance (*hereafter referred to as NIHDI-RIZIV-INAMI*), and are addressed to persons encoding the information and the recorder. These requirements relate among others, to the encoding date, the identifier of the recorder and the patients, value sets etc (evidence No. 2 and evidence No. 3). The documents covering the requirements of the two caresets were published on the eHealth website: [Le projet Be-SafeShare, quels objectifs ? | eSanté \(fgov.be\)](#). The validation and the publication on the eHealth platform of these two caresets were approved during the Management Committee Meeting of the eHealth Platform on 9 April 2024 (evidence No. 4).

- subproject 2 : Extend electronic prescription capabilities

Subproject 2 relates to the extension of the electronic prescription capabilities. The objective is to develop an electronic referral prescription (currently on paper) in extension of the medicine prescription (digital). The medicine prescription refers only to a prescription of medicines, while the referral prescription covers, among others, a care service (e.g. blood and /or tissue sampling, medication administration, physical therapy, etc.) to be executed by a healthcare provider (nurse, physiotherapist, laboratory, etc.), a technical medical act (e.g. gastroscopy etc.) (evidence No. 1).

Evidence No. 1 outlines the requirements for this subproject defined by NIHDI-RIZIV-INAMI, and addressed mainly to the prescribers. In particular, it explains the functional requirements to which the electronic referral prescription capabilities should correspond (Point 5.5, page 67). These functional requirements determine the system behavior and how it responds to inputs, by including calculations, data input and business processes. The requirements cover, among others, the functionalities for the validation (including among others the validation of the NIHDI-RIZIV-INAMI number of the prescriber or health practitioner, of the patient's national register number), the prescriber, healthcare provider, patient, adviser doctor, etc. They describe what each stakeholder can do with the digital application and how. In addition, in point 5.3 of the evidence No. 1, the architectural scheme of the application is provided, reflecting the interactions between the different parties involved at technical level. The architectural scheme also determines the basis of the data architecture, rules or standards providing which data is collected and how it is stored, organised, integrated and used in data systems and organisations.

- Subproject 3 : Prescription Search Support

Subproject 3 relates to the Prescription Search Support (PSS), notably in prescribing medical imaging, clinical biology and Anti Microbial Resistance prescriptions. PSS is a decision support tool for medicines, health products or the provision of health care used by the health care professionals, also included in the Law on Miscellaneous Provisions in Respect of Health & Finance of 18 May 2024 (evidence No. 1).

Evidence No. 2 outlines the business requirements for the Prescription Search Support defined by the common ICT organisation of the Belgian public institutions in the field of social security (Smals) addressed to different actors, including prescribers, prescription executors, medical advisors, etc. In particular, the non-functional requirements, including, among others, the interoperability with external software providers, maintainability, reliability and security of the PSS are provided.

- Subproject 4 : Integrated view on distributed medication information

Subproject 4 aims to provide an integrated view on medication prescribed and collected from the pharmacy. Information from Health Care Providers and Pharmacies is available for citizens and for health care professionals. In particular, the Virtual Integrated Drug Information System (VIDIS) aims to improve the efficiency of patient care through effective and efficient data and information exchange on all aspects of patients' medical treatment (evidence No. 1). Integration has been done in the citizen health portal (<https://myhealth.belgium.be>).

Evidence No. 2 outlines the requirements for this subproject, defined mainly by NIHDI-RIZIV-INAMI and addressed to the software developers and users of VIDIS. In particular, it lists the general requirements, requirements for interoperability, security and legislation.

- Subproject 5 : Operational telemonitoring

Subproject 5 relates to the operationalisation of telemonitoring. Telemonitoring is defined as the use of tools and systems that collect clinically relevant data outside the premises of the prescribing healthcare provider. This data can include objective measures such as blood pressure, heart rate, oxygen saturation, etc and subjective inputs such as Patient-Reported Outcome Measures (PROMs) and Patient-Reported Experience Measures (PREMs). This subproject supports the development of a Digital Health Technology Integration Layer (DHTIL), which is a technical crucial element enabling to integrate telemonitoring in the healthcare ecosystem and resulting in the creation of a telemonitoring application for telemonitoring prescriptions. The objective is to allow doctors, general practitioners and hospitals to prescribe telemonitoring to a patient through this application, and to consult the related information. Telemonitoring prescription standardises telemonitoring as part of the referral process within healthcare. It allows healthcare professionals (HCPs) to prescribe remote monitoring for patients, with Telemonitoring Providers returning detailed reports containing all relevant health information. The requirements of this subproject defined by by Federal Public Service Health, Food Chain Safety and Environment include notably the standardisation of information (evidence No. 1), FHIR profiling, operationalisation of the Telemonitoring Output Model for outcome integration, providing data in readable formats such as PDFs, FHIR files.

- Subproject 6 : Health Data Agency program

Subproject 6 relates to the Health Data Agency program, which aims to support the sharing of health (care) data. It includes among others the setting-up of a website where data requesters can submit data requests, creation of a catalogue on health metadata, etc (link to the website: [Homepage | Health Data Agency \(belgium.be\)](#)).

Evidence No. 1 outlines the requirements defined by the Health Data Agency for this subproject in terms of governance, and mainly addressed to the Governance and User boards. In particular, it lists the various work packages and their related milestones, but also the structure and scope, that need to be implemented in order to have the Health Data Agency program fully operational.

A tender has been published ([BOSA - eProcurement \(publicprocurement.be\)](#)) aiming to acquire a (meta)data governance tool, including a catalogue, for the Health Data Agency, which will focus on facilitating the secondary use of health (care) data, included in the Health Data Agency program. The related requirements are defined in the *Cahier spécial des Charges* (evidence No. 2), which, in particular,

outlines the minimal requirements in terms of the data catalogue, data governance, interfaces, metadata management, and non-functional requirements.

- Subproject 7 : Empowerment of the Citizen

Subproject 7 relates to the Empowerment of the Citizen, aiming to give citizens an active role within the existing health platform, which faces several limitations such as delayed access to information, no possibility to encode information (only consultation is allowed). This subproject aims to support the development of a modern and interactive interfederal platform, called “My Health”. The requirements in terms of technical stakeholders and organisations of the subproject are defined by the egezondheid/esanté (Evidence No. 1). For instance, hubs and safes are required.

- Subproject 8 : Stimulate Innovation

Subproject 8 relates to stimulating innovation. A call for innovative projects will be launched early 2025. The evaluation of the submitted proposal by the groups delivering a Proof of Concept at the FHIRathon<sup>4</sup> in early 2025 will be done based on the selection criteria defined by by Federal Public Service Health, Food Chain Safety and Environment, and listed in evidence No. 2. These selection criteria as amount to requirements as they represent elements needed in the project itself to be selected. These requirements include among other the necessity of the selected innovative project(s) to be transferable to various hospitals and healthcare institutions, development of an effective strategy involving various hospitals and healthcare institutions, scalability (=the extent to which the innovative solution can be quickly and effectively replicated and applied in other institutions and use cases), governance structure, etc.

- Subproject 9 : Integrated Care

Subproject 9 relates to integrated care, which aims to provide easy-to-use software application stimulating and allowing easy communication between all members of a care-team. An application called *Alivia* has been developed to cover the objectives of the integrated care, aimed among others to support Health Care Providers (HCP) to communicate and work together in the provision of care to a patient, collect the health and life goals of the patient, etc (evidence No. 1).

It was initially developed in Flanders, and the objective is to deploy it at the federal level. Evidence No. 2 outlines the minimal requirements defined by the Federal Public Service Health, Food Chain Safety and Environment, and addressed to the bidders who will provide an offer for the development of the project. The requirements relate to identification, data and functionalities. Evidence No. 3 provides the requirements for the interfederal deployment of *Alivia*, including, among others, the technical architecture, content and conceptual development, and governance.

- Subproject 10 : Assemblage

Subproject 10 relates to the “Assemblage”, which aims to integrate new and existing systems to create a coherent view of the relevant patient-data. In particular, the Belgian Integrated Health Record

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<sup>4</sup> FPS Health, RIZIV/INAMI, eHealth platform, Vitalink - Departement Zorg, Brussels Health Network, Réseau Santé Wallon, Agoria & HL7 Belgium organised an event called BE FHIR-A-THON for validating and testing with Belgian FHIR profiles in order to encourage gaining experience, learning and collaboration across a diverse audience (hospitals, software companies, healthcare organisations).

(*hereinafter referred to as BHIR*) is a project aiming to create a digital ecosystem where every individual has a clear view of their health data and all professionals involved in their care have access to all necessary information to provide high-quality care (Evidence No. 1). Evidence No. 1 outlines the implementation requirements of the BHIR, including the establishment of a clear governance, definition of standards and norms, development of the IT infrastructure, implementation of security measures, training of stakeholders, evaluation and adaptation, and management of changes. Evidence No. 2 defines the requirements regarding the architecture for the BHIR, covering the business, data, application, and technology architecture, designed to create a secure and interoperable solution, by integrating existing systems. The requirements are defined by NIHDI-RIZIV-INAMI, and are mainly addressed to the software developers.

**Furthermore, in line with the description of the measure, different actions are foreseen under the project, among which the extension of the e-prescription capabilities, improvement of the quality of prescriptions and cost reductions achieved for instance through prescription search support or the operationalisation of tele-monitoring.**

Subproject 2 supports the extension of the e-prescription capabilities as it aims to support the implementation of digital referral prescriptions, which are currently paper-based, in extension of the already digitalised medicine prescriptions. Subproject 3 supports the implementation of prescription search support (PSS), aimed to improve the quality of the prescriptions in prescribing medical imaging, clinical biology and antimicrobials as the PSS is based on the clinical indications, patient variables and support parameters it receives from the prescriber. Subproject 5 supports the operationalisation of telemonitoring through the integration of mobile apps in the electronic healthcare record system, including teleconsultation and its documentation. This subproject aims to allow sharing monitoring data resulting in cost reduction, following for example reduced hospitals costs due to the possibility of homecare and home hospitalisation.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 68 - Contract award for 11 projects

**Related Measure:** I-2.09 - Digitalisation of the Flemish Government

**Qualitative Indicator:** All awarded projects are completed

**Time:** Q4 2025

### 1. Context:

Milestone 68 is part of Investment I-2.09 “Digitalisation of the Flemish Government”, which aims at (i) automating as many services as possible, notably those involving payments and proactive information; (ii) enabling quick and effective government decisions with data; (iii) ensuring that a reliable basic infrastructure is put in place by strengthening the ICT modules and by providing support; and (iv) offering a hybrid workplace to Flemish officials.

Milestone 68 requires approval of support by the Flemish Government or by the respective entity for 11 projects, which together contribute to four main objectives described above.

Milestone 68 is the first step of the implementation of Investment I-2.09 and it will be followed by milestone 69, related to the completion of 11 projects. The investment has a final expected date for implementation in Q4 2025.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
2	[M68] Note to the Flemish Government – Further investments and operating costs related to the acceleration and further development of My Citizen Profile (Project No. VV060)	This document, approved by the Flemish Government on 12 March 2021, provides an overview of the further steps needed to develop the project No. VV060 (Acceleration and further development of My Citizen Profile). It covers, among others, the objectives, the approach, and the functionalities.
3	[M68] Decision approval Project No. VV060	Decision of the Flemish Government taken during the meeting of 12 March 2021 and signed by the Secretary, approving the budget allocation of the project No. VV060 (Acceleration and further development of My Citizen Profile).
4	[M68] Note to the Flemish Government - Digitalisation Asset Management Aquafin (Project No. VV059).	This document, approved by the Flemish Government on 19 November 2021, covers, among others, the objectives and the content of the project No. VV059 (Digitalisation Asset Management Aquafin).
5	[M68] Decision approval VV059	Decision of the Flemish Government taken during the meeting of 19 November 2021 and signed by the s

		Secretary, approving the budget allocation for the project No. VV059 (Digitalisation Asset Management Aquafin).
6	[M68] Note to the Flemish Government - Smart Mobility Relance Project Data Integration Services (Project No. VV069).	This document, approved by the Flemish Government on 3 December 2021, covers, among others, the objectives, the deliverables and the technical specifications of the project No. VV069 (Smart Mobility Relance Project Data Integration Services).
7	[M68] Decision approval VV069	Decision of the Flemish Government taken during the meeting of 3 December 2021 and signed by the Secretary, approving the implementation of the project No. VV069 (Smart Mobility Relance Project Data Integration Services).
8	[M68] Note to the Flemish Government – Targeted digital transformation (Project No. VV072).	This document, approved by the Flemish Government on 7 May 2021, covers, among others, the objectives, the deliverables and the functionalities of the project No. VV072 (Targeted digital transformation).
9	[M68] Decision approval VV072	Decision of the Flemish Government taken during the meeting of 7 May 2021 and signed by the Secretary, approving the budget allocation of the project No. VV072 (Targeted digital transformation).
10	[M68] Note to the Flemish Government – Vlaamse Sensor Data Space (Project No. VV073).	This document, approved by the Flemish Government on 15 October 2021, covers, among others, the objectives and the deliverables of the project No. VV073 (Vlaamse Sensor Data Space).
11	[M68] Decision approval VV073	Decision of the Flemish Government taken during the meeting of 15 October 2021 and signed by the Secretary, approving the implementation of the project No. VV073 (Vlaamse Sensor Data Space).
12	[M68] Note to the Flemish Government – Underlying common service delivery processes – on-boarding framework agreements (Project No. VV056).	This document, approved by the Flemish Government on 30 April 2021, covers, among others, the objectives and the deliverables of the project No. VV056 (Underlying common service delivery processes – on-boarding framework agreements).
13	[M68] Decision approval Project No. VV056	Decision of the Flemish Government taken during the meeting of 30 April 2021 and signed by the Secretary, approving the implementation of the project No. VV056 (Underlying common service delivery processes – on-boarding framework agreements).

14	[M68] Note to the Flemish Government – Cybersecurity and deployment of SIEM (Project No. VV065).	This document, approved by the Flemish Government on 25 June 2021, covers, among others, the objectives and the deliverables of the project No. VV065 (Cybersecurity and deployment of SIEM).
15	[M68] Decision approval Project No. VV065	Decision of the Flemish Government taken during the meeting of 25 June 2021 and signed by the Secretary, approving the implementation of the project No. VV065 (Cybersecurity and deployment of SIEM)
16	Note to the Flemish Government – Cloud and network infrastructure modernisation (Project No. VV067).	This document, approved by the Flemish Government on 7 May 2021, covers, among others, the objectives and the deliverables of the project No. VV067 (Cloud and network infrastructure modernisation).
17	[M68] Decision approval Project No. VV067	Decision of the Flemish Government taken during the meeting of 7 May 2021 and signed by the Secretary, approving the implementation of the project No. VV067 (Cloud and network infrastructure modernisation).
18	[M68] Note to the Flemish Government – Local Digital offer (Project No. VV071).	This document, approved by the Flemish Government on 15 July 2022, covers, among others, the objectives and the deliverables of the project No. VV071 (Local Digital offer).
19	[M68] Decision approval Project No. VV071	Decision of the Flemish Government taken during the meeting of 15 July 2022 and signed by the Secretary, approving the implementation of the project No. VV071 (Local Digital offer).
20	[M68] Note to the Flemish Government – Hybrid digital workplace (Project No. VV066).	This document, approved by the Flemish Government on 25 June 2021, covers, among others, the objectives and the deliverables of the project No. VV066 (Hybrid digital workplace)
21	[M68] Decision approval Project No. VV066	Decision of the Flemish Government taken during the meeting of 25 June 2021 and signed by the Secretary, approving the implementation of the project No. VV066 (Hybrid digital workplace)
22	[M68] Note to the Flemish Government – Kaleidos (Project No. VV068).	This document, approved by the Flemish Government on 7 May 2021, covers, among others, the objectives and the deliverables of the project No. VV068 (Kaleidos)
23	[M68] Decision approval Project No. VV068	Decision of the Flemish Government taken during the meeting of 7 May 2021 and signed by the Secretary, approving the implementation of the project No. VV068 (Kaleidos)

24	[M68] Annex to the note to the Flemish Government concerning the project No. VV060 (Acceleration and further development of My Citizen Profile	This document emitted by the Flemish Government and dated 3 December 2021, lists the functionalities of the platform.
25	[M68] Description of functions and procedures	This document emitted by the Flemish Government and dated December 2023, describes among others the structure, the procedures, the information system, verification of implementation of the project.
26	[M68] – VV056 - Competitive procedure with negotiation ‘Mededingingsprocedure met onderhandeling Opdracht nr. 2020/HFB/MPMO/63249 Raamovereenkomsten voor ICT-exploitatie- en ontwikkelingsdiensten (Programma ICT 2022)’	This document emitted by Facility Services Agency ‘Agentschap Facilitair Bedrijf’ under the Flemish Government, provides, among others, the framework for the procedure, the award criteria, it lists and describes the various lots, it also provides a reference to the contract with HB-plus.
27	[M68] – VV056 - Reasoned award decisions ‘Gemotiveerde gunningsbeslissing’	This document emitted by Facility Services Agency ‘Agentschap Facilitair Bedrijf’ under the Flemish Government, dated 3 May 2021, provides motivated decisions for the selection of providers for 5 lots: <ul style="list-style-type: none"> <li>- Lot 1: selection of Atos Belgium nv;</li> <li>- Lot 2: selection of Cegeka nv;</li> <li>- Lot 3: selection of Atos Belgium nv;</li> <li>- Lot 4 : selection of Proximus nv.</li> <li>- Lot 5: selection of Atos Belgium nv; 2. Cronos Public Services nv; 3. De combinatie van ondernemingen Enterprise Services Belgium bvba – Cegeka nv.</li> </ul>

### 3. Analysis:

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

The measure shall include **11 projects**.

The list of 11 projects has been submitted by the Belgian authorities (evidence No. 25) and the related decisions approving the budget allocation and implementation of the projects published on the Flemish Government’s website (<https://beslissingenvlaamseregering.vlaanderen.be/>). It includes:

- Project VV060: Acceleration and further development of My Citizen Profile ([Decisions of the Flemish Government | Vlaanderen.be](https://beslissingenvlaamseregering.vlaanderen.be/))
- Project VV059: Digitalisation Asset Management Aquafin ([Decisions of the Flemish Government | Vlaanderen.be](https://beslissingenvlaamseregering.vlaanderen.be/))

- Project VV069: Smart Mobility Relance Project Data Integration Services ([Beslissingen van de Vlaamse Regering | Vlaanderen.be](#))
- Project VV072: Targeted digital transformation ([Beslissingen van de Vlaamse Regering | Vlaanderen.be](#))
- Project VV073: Flemish Sensor Data Space ([Beslissingen van de Vlaamse Regering | Vlaanderen.be](#))
- Project VV056: Underlying common service delivery processes – on-boarding framework agreements ([Beslissingen van de Vlaamse Regering | Vlaanderen.be](#))
- Project VV065: Cybersecurity and deployment of SIEM ([Beslissingen van de Vlaamse Regering | Vlaanderen.be](#))
- Project VV067: Cloud and network infrastructure modernisation ([Beslissingen van de Vlaamse Regering | Vlaanderen.be](#))
- Project VV071: Local Digital offer ([Beslissingen van de Vlaamse Regering | Vlaanderen.be](#))
- Project VV066: Hybrid digital workplace ([Beslissingen van de Vlaamse Regering | Vlaanderen.be](#))
- Project VV068: Kaleidos ([Beslissingen van de Vlaamse Regering | Vlaanderen.be](#))

**Approval of support by the Flemish Government or by the respective entity for 11 projects.**

- Support for Project VV060: Acceleration and further development of My Citizen Profile was approved by the Flemish Government on 12 March 2021 (Evidence No. 3).
- Support for Project VV059: Digitalisation Asset Management Aquafin was approved by the Flemish Government on 19 November 2021 (Evidence No. 5).
- Support for Project VV069: Smart Mobility Relance Project Data Integration Services was approved by the Flemish Government on 3 December 2021 (Evidence No. 7).
- Support for Project VV072: Targeted digital transformation was approved by the Flemish Government on 7 May 2021 (Evidence No. 9).
- Support for Project VV073: Flemish Sensor Data Space was approved by the Flemish Government on 15 October 2021 (Evidence No. 11).
- Support for Project VV056: Underlying common service delivery processes – on-boarding framework agreements was approved by the Flemish Government on 30 April 2021 (Evidence No. 13).
- Support Project VV065: Cybersecurity and deployment of SIEM was approved by the Flemish Government on 25 June 2021 (Evidence No. 15).
- Support for Project VV067: Cloud and network infrastructure modernisation was approved by the Flemish Government on 7 May 2021 (Evidence No. 17).
- Support for Project VV071: Local Digital offer was approved by the Flemish Government on 15 July 2022 (Evidence No. 19).
- Support for Project VV066: Hybrid digital workplace was approved by the Flemish Government on 25 June 2021 (Evidence No. 21).
- Support for Project VV068: Kaleidos was approved by the Flemish Government on 7 May 2021 (Evidence No. 23).

**11 projects, which together contribute to four main objectives**

**Objective 1: Towards public service for citizens, businesses and associations;**

Furthermore, in line with the description of the measure, one of its objectives is **automating as many services as possible, notably those involving payments and proactive information.**

My Citizen Profile (Project No. VV060) supports the development and improvement of building blocks on a functional and technical level, and the integration of these building blocks with the back office systems and websites of the local and Flemish Governmental agencies. My Citizen Profile aims to provide a personal overview of government affairs and collect official data on websites of the Flemish Government and local authorities. For example, it will allow citizens, entrepreneurs and associations to

- Introduce requests and files related to governmental services including, permits, taxes, social card, etc;
- Keep an overview on ongoing files, receiving messages and government documents;
- Have an overview of personal data available for the public administration such as residences, diplomas, licences, etc;
- Support citizens more proactively in their relations with public authorities (evidence No. 2 and No. 3).

The functionalities and generic building blocks of My Citizen Profile are designed in a uniform way for citizens, entrepreneurs and associations. Through the unique access of My Citizens profile, the user will be directed to the relevant personal information related to one of its ongoing files or requests, or personal data. This allows entrepreneurs and citizens to consult the same type of information, made accessible through generic building blocks. Evidence No. 2 also provides that the same building blocks will be applied to the associations.

as listed above.

Further functionalities available for citizens and entrepreneurs are listed in evidence No. 24. It covers for example payments for citizens, consultation of documents, introduction of requests for certificates, etc..

Given the goals of the project described above, the objective of automating as many services as possible, notably those involving payments and proactive information is fulfilled.

## **Objective 2: Enable quick and effective decisions with data;**

Furthermore, in line with the description of the measure, one of the measure's objectives is **enabling quick and effective government decisions with data, where the use of data increasingly feeds government decisions. In this regard, investments are foreseen in the development of sensor data platforms, particularly in the areas of mobility and the environment.**

- Project No. VV059 focuses on accelerating the digitalisation of asset management relating to wastewater and rainwater infrastructure in Flanders, covering an environmental area (evidence No. 4 and No. 5). The digitalisation of asset management is based on various elements among others the implementation of an asset health monitoring tool, of data transfer methods or the expansion of the asset management system. The data generated by the improved and new applications give an insight into the condition, reliability, probability of failure and expected lifetime of the infrastructure. This allows smarter, quicker, more targeted and optimal maintenance and investment decisions based on data.
- Project No. VV069 aims to provide a standardised solution for data exchange between the parties involved in the field of mobility (travellers, companies, Flemish Government, local authorities), resulting in mobility data being more interoperable, accessible and easier to reuse (evidence No. 6 and No. 7). Therefore, it supports quicker and more effective decisions based on data in the area of mobility.

- Project No. VV072 aims to connect the wide range of cultural offers with interested cultural participants in order to increase cultural participation and boost data-driven policies within the cultural sector (evidence No. 8 and No. 9). The automated data collection would support the development of products benefiting cultural participants and target different audiences. Therefore, it supports quicker, more targeted and effective decisions taken based on data.
- Project No. VV073 aims to develop and deploy a sustainable infrastructure for storing and opening up large quantities of sensor data in the mobility and water areas in Flanders (evidence No. 10 and No. 11)The main focus is the development of a “sensor data publication urb” and the definition of open standards that would make it possible to use more of these new and innovative data in smart applications at lower cost and lead time. This project will thus involve the development of a sensor data platform and will result in quicker and more effective decisions driven by nearly (real) data in the mobility and water areas (evidence No. 10 and No. 11).

**Objective 3: ensuring a reliable basic infrastructure by strengthening ICT building blocks;**

Furthermore, in line with the description of the measure, **one of its objectives is ensuring that a reliable basic infrastructure is put in place by strengthening the ICT building blocks and by providing support,**

- Project No. VV056 aims to support the transition from the ICT services contract with one outsourcing partner (HB-plus) to the renewed ICT service contracts with the least impact on customers’ functioning and budgets in order to accelerate the Flemish Government’s objective on digitalisation, and resulting in strengthened ICT building blocks (evidence No. 12 and No. 13). The new common ICT service offer for ICT exploitation and development services is based on various separate lots, resulting in several ICT external service providers (evidence No. 26 and evidence No. 27) .
- Project No. VV065 intends to develop the Flemish Government-wide Information Security Strategy with a clear framework, governance and responsibilities for an informed approach to information security. The objective of the project is also to increase digital competences on information security and build resilient digital processes and robust infrastructure (evidence No. 14 and No. 15).
- Project No. VV067 aims to support the migration of applications (including critical ones) and building blocks from NMC4 data center infrastructure (private data center exclusively used for hosting applications of the Flemish Government) used by several departments of the Flemish Government, which relies on highly outdated hardware and software components, increasingly posing a risk to business continuity. In this way, the old infrastructure can be phased out. The project aims also to support the migration from the Virtual Private Cloud (virtual private data center for the Flemish Government and other customers) to a hybrid cloud infrastructure. As a result of these migrations, the current business applications in NMC4 and VPC will better respond to the digital transformation of the Flemish Government, ensuring a reliable basic infrastructure. In addition to better scalability and performance, business applications used by the various departments of the Flemish Government will be able to adapt more quickly and at a lower cost, and thus to better respond to the digital transformation of the Flemish Government (evidence No. 16 and No. 17).
- Project No. VV071 aims to contribute to the digitalisation of public services (including among others procurement, service processes offered by local authorities such as virtual assistance, digital front desk, etc) to citizens, entrepreneurs and associations (evidence No. 18 and No. 19). In particular, the project aims to result in a fully operational local digital core team at the disposal of Flemish local authorities. This team will carry out assessments, market searches and

procurement with a view to scalable digital solutions that can be used by all local administrations, therefore, providing support to local authorities. In addition, a sustainable business model has been developed so that the 'local digital' offer can continue after the completion of the project phase, including setting up an organisational structure that can address the fragmented IT landscape and ensuring a reliable basic infrastructure

The projects listed above, given their description, support the objective of ensuring a reliable basic infrastructure put in place by strengthening the common basic information and ICT modules, and by providing support.

**Objective 4: Providing a hybrid workplace for Flemish officials.**

- Project No. VV066 aims to deliver new opportunities for automation, data access and universal access through further integration of Microsoft 365 platform in the digital workplace (evidence No. 20 and No. 21). It supports also the digitalisation of the physical correspondence received in the buildings of the Flemish Government through the "Digital incoming mail". This will allow Flemish officials to work remotely by modernising access to digital workplace and business applications through single notification, conditional access and multiple verifications, and accessing documents by means of digital archive.
- Project No. VV068 aims to support the digitalisation of the (administrative) decision-making and regulatory processes (evidence No. 22 and No. 23). In particular, this project's objectives are
  - Digitalisation of files flows, including among others, integration of digital signature, file flows within the cabinets, etc.
  - Data retrieval, including a search robot so that the Flemish Government's decisions can be easily accessed through this channel
  - Optimising performance, covering, among others, the accessibility of data and monitoring tools.

Given the goals of the projects described above, the objective of offering a hybrid future-oriented workplace to each Flemish official is fulfilled. The digitalisation of the (administrative) decision-making and regulatory processes will increase the possibility for Flemish officials to work remotely as it aims to bring the digital workplace to the same level as the physical one through, among others, the digitalisation of file flows, including digital signature, digital consultation of documents, etc.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 78 - Entry into force of a new regulatory context

**Related Measure:** R-2.02 - E-government: tendering procedure

**Qualitative Indicator:** Provision in the law indicating the entry into force of the new Royal Decree

**Time:** Q2 2022

### 1. Context:

Milestone 78 is part of Reform R-2.02 “E-government: tendering procedure of the Federal State”, which consists of a coherent set of measure to expand the use of eProcurement including a new Royal Decree, which shall adapt the federal regulatory framework for conducting tendering procedures in order to facilitate the ease of use of the new and improved e-government platform.

Milestone 78 requires the entry into force of a new Royal Decree, which adapts the federal regulatory framework for conducting tendering procedures in order to facilitate the ease of use of the new and improved e-government platform. The new Royal Decree aims to: align federal procurement policy participants to improve the penetration rate of federal joint procurement; adopts a common roadmap - response to more targeted objectives in terms of sustainable development and access to SMEs ; Develop purchasing strategies by purchasing segments with category plans; strengthening of the role of the federal purchasing centre of the SPF Bosa; Complete the administrative simplification and standardization of processes, in particular with a view to capturing the needs of federal participants.

Milestone 78 is the first milestone of Reform R-2.02 “E-government: tendering procedure of the Federal State”. It will be followed by milestone 79 related to the operationalisation of the new e-procurement platform. The reform has a final expected date for implementation in Q4 2024.

### 2. Evidence provided:

	Name of the evidence.  For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the milestone (including the relevant elements of the target, as listed in the description of target and the corresponding measure in the CID annex) was satisfactorily fulfilled.
2	[M78]_copy_royal_decree	Copy of the Royal Decree of 21 July 2023 on Federal Public Procurement centralised as part of the federal procurement policy ( <i>Arrêté royal relatif aux marchés publics fédéraux centralisés dans le cadre de la politique fédérale d’achats</i> ), published on 12 September 2023 in the Official Journal.  Link to the Royal Decree: <a href="http://www.ejustice.just.fgov.be/eli/bsluit/2023/07/21/2023044347/staatsblad">http://www.ejustice.just.fgov.be/eli/bsluit/2023/07/21/2023044347/staatsblad</a>
3	[M78]_copy_annexes_royal_decree	Copies of the annexes of the Royal Decree of 21 July 2023 on Federal Public Procurement centralised as part of the federal

	(various documents in Fenix)	procurement policy. Annex 1 lists the other federal institutions considered as passive participants, Annex 2 lists the common needs relating to cross-cutting procurement domains, and Annex 3 includes the common needs relating to the domains of procurement for which each active or passive participant will be able to act as a procurement centre depending on the expertise, capacity and missions assigned to it through regulatory, legal or statutory means.
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**3. Analysis:**

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

**Entry into force of a new Royal Decree which adapts the federal regulatory framework for conducting tendering procedures in order to facilitate the ease of use of the new and improved e-government platform.**

The Royal Decree of 21 July 2023 was published on 12 September 2023 in the Official Journal (evidence No.2) and entered into force 10 days after its publication.

The old Royal Decree of 22 December 2017 on centralised federal public procurement within the framework of the federal procurement policy created a model of cooperation at the federal level for the management of joint contracts. However, the cooperation model put in place has encountered a number of obstacles in its operation hindering the achievement of certain objectives (increase efficiency of the existing forms of joint federal procurement; implementation of an efficient cooperation model; improve the SMEs’ participation in public procurement and promote sustainability of public procurement) set out in the decree, affecting the cooperation model. The obstacles related to, among others, difficulties with the estimation and expression of needs. The old Royal Decree of 22 December 2017 did not define any type of purchase that was to be the subject of strategic decisions by the Strategic Federal Acquisition Consultation Network (*hereinafter referred to as “SFA”*). Everything was left to the discretion of the participants and the SFA. This led to difficulties in interpreting the objectives and implementing the cooperation model. In the new Royal Decree of 21 July 2023, annex 2 lists all the procurement areas for which the SFA must take decisions. Annex 3 lists the areas where participants may award their own public contracts in the absence of a decision by the SFA after having inform the SFA in advance. The new Royal Decree determines the ambitions of the cooperation model in a clearer and more precise way. Thus, it aims to ensure the optimal functioning of the cooperation model, by making it more efficient, and to achieve better quality federal procurement (evidence No. 2).

Article 19 and Article 21 of the Royal Decree of 21 July 2023 include provisions regarding the use of the e-government platform. Article 19 of the Royal Decree of 21 July 2023 requires all participants to use electronic means of communication developed by the Federal Public Service Strategy and Support. In addition, Article 21 of the Royal Decree of 21 July 2023 states that documents are also made available through the means of electronic communication developed by the Federal Public Service Strategy and Support.

**The new Royal Decree aims to:**

- **Alignment of federal procurement policy participants to improve the penetration rate of federal joint procurement;**

- The Royal Decree of 21 July 2023 has made it possible to include the Belgian federal police as an active participant in the federal procurement policy (Article 1 of the Royal Decree of 21 July 2023). It represents an added value for decisions but also a significant increase in the participation of its services in joint contracts (increased penetration rate). Article 4(1) of the Royal Decree of 21 July 2023 indicates that each strategic coordinator is empowered to take decisions within the SFA in the name and on behalf of the active participant who appointed him/her. Article 4(2) of the Royal Decree of 21 July 2023 states that SFA invites passive participants to delegate one observer, on a voluntary basis, to be present at the SFA meetings. In the old Royal Decree of 22 December 2017, the passive participants were not systematically invited to these meetings.
- Article 10(2) of the Royal Decree of 21 July 2023 indicates that for the award of joint contracts for common needs relating to the procurement areas listed in Annex 3, all active participants and passive participants may act as central purchasing bodies, while the old Royal Decree of 22 December 2017 did not include passive participants. Consequently, this article 10(2) of the Royal Decree of 21 July 2023 supports the alignment of the federal procurement policy participants.
- Article 16 of the Royal Decree of 21 July 2023 states that in order to participate in the federal procurement policy, each participant (active and passive) must provide a participation document setting out its commitment, its requirements and a budget estimate (maximum value). This article provides legal certainty, a single procedure for participants and supervisory bodies, and alignment between active and passive participants (passive participants can no longer say that they are doing what they want to do).
- **Adopts a common roadmap - response to more targeted objectives in terms of sustainable development and access to SMEs;**  
Article 23 of the Royal Decree of 21 July 2023 provides that the Procurement Service Centre defines each year the indicators and targets, constituting a common roadmap, allowing to determine the extent to which the objectives of this Royal Decree of 21 July 2023 (efficiency, access to SMEs and sustainable development) are achieved. In addition, Article 24 of the Royal Decree of 21 July 2023 states that the Procurement Service Centre monitors the indicators referred to in Article 23 and reports their results to the SFA once a year and presents them in the Federal Procurement Policy note.
- **Development of purchasing strategies by purchasing segments with category plans;**  
Annexes 2 and 3 of the Royal Decree of 21 July 2023 (evidence No. 3) provide the purchasing strategies by purchasing segments with category plans. The aim is to categorise all the needs of the participants by procurement domains according to criteria such as volumes, the nature of supplies and/or services, etc. In application of article 5 of the Royal Decree of 21 July 2023, the SFA manages the purchasing domains listed in annexes 2 and 3. On a proposal from the SFA, the Minister for the Civil Service may revise the purchasing domains listed in annexes 2 and 3 of this decree in accordance with the objectives of the federal purchasing policy. Annexes 2 and 3 of this Decree are made available electronically in their most recent version on the website of the Federal Public Service Strategy and Support (*hereinafter referred to as "BOSA"*).
- **Strengthening of the role of the federal purchasing centre of the SPF Bosa;**  
The federal purchasing centre of the SPF BOSA corresponds to the Procurement Service Centre of the Federal Public Service Strategy and Support. The Procurement Service Centre was established by the Royal Decree of 22 December 2017 (Article 6(1)), but the Royal Decree did not define it. Article 1(7) the new Royal Decree of 21 July 2023 provides for an explicit definition of the Procurement Service Centre, which is defined as cross-domain functional support services within BOSA. In addition, its role has been strengthened by the Royal Decree of 21 July 2023 which provides that BOSA, through the Procurement Service Centre, will act primarily as a central

purchasing body. Furthermore, the role of the Procurement Service Centre has been reinforced by the Royal Decree of 21 July 2023 through:

- Additional coordination and support tasks - the registration of joint contracts and the monitoring of order statistics (Article 3 of the Royal Decree of 21 July 2023);
  - Additional support tasks to the SFA - the Procurement Service Centre proposes the internal regulations approved by the SFA (Article 4 of the Royal Decree of 21 July 2023);
  - Proposal of the federal procurement policy to the SFA and political decision-makers (Article 8 of the Royal Decree of 21 July 2023). The proposal was previously done by the SFA;
  - BOSA, through the Procurement Service Centre, becomes the central purchase body for the award of joint contracts for common needs relating to purchasing domains listed in Annex 2 (Article 10(1) of the Royal Decree of 21 July 2023);
  - Support for central purchase body and centralization of the information in the context of a Federal Procurement Tactical and Operational Coordination Network (Article 13(2));
  - The definition of yearly indicators and targets allowing to determine the extent to which the objectives of the Royal Decree of 21 July 2023 are achieved (Article 23 of the Royal Decree of 21 July 2023). The definition of these indicators was initially done by the SFA.
- **Complete the administrative simplification and standardization of processes, in particular with a view to capturing the needs of federal participants.**

One of the objectives of the Royal Decree of 21 July 2023 relates to the efficiency of the current federal joint procurement procedures, notably by reducing the number of them (Report to the King). In particular, the Royal Decree of 21 July 2023 introduces a single process for active and passive participants to participate in joint contracts (Article 16), resulting in simplification and standardisation of processes. Active and passive participants who have submitted a declaration of intent shall provide a signed final participation decision to the Procurement Service Centre including the annual estimate or the budget. To this end, a final participation proposal is made available by the Procurement Service Centre. This modification simplifies the process under the old Royal Decree of 22 December 2017 which stated that the modalities for the operation of joint contracts were detailed in procedures approved by the SFA on the basis of proposals from the Procurement Service Centre, resulting in various processes. By introducing a single process for both, active and passive participants, the Royal Decree of 21 July 2023 supports the simplification and standardization of processes.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 81 - Completion of pilot projects by the AI for the Common Good Institute

**Related Measure:** I-2.14 - Development of an AI institute in order to use this technology to meet societal challenges

**Qualitative Indicator:** Final report approved on pilot projects by the AI for the Common Good Institute

**Time:** Q2 2022

**1. Context:**

The objective of this investment is to promote the use of Artificial Intelligence in areas such as health and well-being, environment, mobility, energy, and media and democracy, by supporting activities of the AI for the Common Good Institute Brussels (FARI). This institute shall promote the development of AI solutions in collaboration with academia, business, policy-makers and citizens and shall also feature an AI test and Experience Lab, showcasing Artificial Intelligence driven technologies to create awareness for the general public and industry (including a training dimension).

Milestone 81 requires the completion of four pilot projects of the AI for the Common Good Institute, providing support services (such as training, development of proof of concepts of software solutions) to profit or non-profit organisations or public organisations in areas such as education in AI, healthcare, and employment.

Milestone 81 is the first step of the implementation of the investment, and it will be followed by milestones 82 and 83, related respectively to the creation of a multidisciplinary team of experts ready to support public services and the delivery of three Artificial Intelligence services (i.e. digital twin support, trainings and advisory activities related to citizen services) to local authorities. The investment has a final expected date for implementation in Q4 2024.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the CID annex) was satisfactorily fulfilled.
2	SimpLex: Innovation for administrative simplification (version uploaded on 3 May 2024)	Copy of final approved report on first pilot project of the AI for the Common Good Institute, signed by the director of the Global Law Program at the Perelman Centre of the Université Libre de Bruxelles and dated 23 April 2024.
3	Email “Re: RRF I-2.14 – M81 – DP2 – Follow up question from the Commission”	Email dated 21 May 2024 from the co-director of FARI (contractor) to a project manager of the Brussels regional administration containing explanations regarding the training provided in the context of pilot

		project 1 'Simplex: Innovation for administrative simplification'
4	Rules as Code & Digital-ready legislation	Programme of event organised in the context of pilot project 1 'Simplex: Innovation for administrative simplification' on 24 November 2022 in Brussels. Attached to email from 21 May 2024.
5	Print of legal design training announcement	Screenshot of event organised in the context of pilot project 1 'Simplex: Innovation for administrative simplification' on 13 December 2022 in Brussels. Attached to email from 21 May 2024.
6	SimpLex	Presentation given by the AI for the Common Good Institute to the Brussels authorities, dated 19 September 2022.
7	The SimpLex project. A Regional Legislation Database& AI-based Tools for Better Legislation	Presentation given by the AI for the Common Good Institute during the public part of the event on 'rules as code' of 24 November 2022 (date in presentation)
8	Le legal design pour l'administration publique	Presentation given by the AI for the Common Good Institute to the Brussels administration about 'legal design' on 13 December 2022
9	Email "RE: EXT: Technical standards radiation standards"	Email reply from FOD BOSA with a link to access the annotations used to train the large language model and the source code of the proof of concept for pilot project 1 (files format not supported by Fenix - see Ares(2024)6661640)
10	AI Strategy for the Brussels Region (version uploaded on 3 May 2024)	Copy of final approved report on second pilot project of the AI for the Common Good Institute, signed by a representative of the Department for R&I support of the Université Libre de Bruxelles and dated 23 April 2024.
11	Pilot project: AI strategy for Brussels	Annex to the report on the second pilot project. This is a presentation given during a workshop given by FARI to the Brussels administration on 17 May 2022 in the context of pilot project 2. It was sent from FARI (contractor) to the CIRB-CIBG and the Brussels regional administration through a link in an email on 29 July 2022.
12	Email « Re: RRF – I-2.14 – Rapport(s) scientifique(s) »	Email dated 29 July 2022 from the co-director of FARI (contractor) to the Attachée European Affairs of the Brussels regional administration containing a link to the documents shared by FARI with the CIRB-CIBG.
13	Benchmark study on urban artificial intelligence strategies	Annex to the report on the second pilot project. This report was written by the Knowledge Centre Data and Society in April 2022 as input for pilot project 2, at the request of the AI for the Common Good Institute. It was sent from FARI (contractor) to the CIRB-CIBG and the Brussels regional administration through a link in an email on 29 July 2022.

14	Animal Welfare & AI (version uploaded on 3 May 2024)	Copy of final approved report on third pilot project of the AI for the Common Good Institute, signed by the Chief Scientific Advisor of FARI (contractor) and dated 23 April 2024.
15	Project 3 software documentation (version uploaded on 11 October 2024)	Document containing information for future maintainers of the software used for pilot project 3 ('Animal Welfare and AI'). This file was written by FARI staff and signed by the Director of FARI on 10 October 2024.
16	Employment project: matching profiles on the job market (version uploaded on 3 May 2024)	Copy of final approved report on fourth pilot project of the AI for the Common Good Institute, signed by the Chief Scientific Advisor of FARI (contractor) and dated 23 April 2024.
17	Actiris project. Matching and recommendation on the job market.	Presentation delivered by FARI staff of the concept of the software solution developed for pilot project 4 ('Matching on the job market'). Dated 21 December 2021.
18	Second observation letter PR3 reply	Document sent by Belgian authorities with replies to questions from second observation letter, including a link to the software code and test results for Pilot project 4 ('Matching on the job market'). See Ares(2024)7268567

### 3. Analysis:

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

The milestone description reads: **“Four pilot projects of the AI for the Common Good Institute completed, providing support services (such as training, development of proof of concepts of software solutions) to profit or non-profit organisations or public organisations in areas such as education in AI, healthcare, and employment in the Brussels Region.”**

**Four pilot projects have been completed by the AI for the Common Good Institute (abbreviated as FARI)**, as evidenced by four final approved reports (one report for each pilot project) which were written by representatives of 'FARI – AI for the Common Good' and signed by representatives of FARI or of the Université Libre de Bruxelles. FARI is a not-for-profit Artificial Intelligence research institute (a contractor) independent from the implementing authority CIRB-CIBG (Information Centre of the Brussels Region, now called 'Paradigm') and led by the Vrije Universiteit Brussel (VUB) and the Université libre de Bruxelles (ULB). The titles of the reports are 'Simplex : Innovation for administrative simplification', 'AI Strategy for the Brussels Region', 'Animal Welfare & AI' and 'Employment project : matching profiles on the job market'. The titles clearly refer to the names of the respective projects, which are described below.

**The milestone is further specified in the Operational Arrangements**, which requires that the final report referred to by the qualitative indicator describes at least (i) each of the four pilot projects, (ii) the actors involved in each pilot, (iii) the different organisations who could benefit from the services provided under the pilot and (iv) the outcome of the pilots. The final report submitted by the authorities in fact consists of four separate reports. Pilot project 1 is called 'Simplex: Innovation for administrative simplification'. The final report for this project describes the pilot project on p. 2 and 3. The report indicates that the

project aims to use Artificial Intelligence to facilitate access to regulations and foster administrative simplification, improve legislative drafting and better communicate the content of regional regulations to the public. The final report also lists the actors involved in the pilot on p. 1-2, notably from academic institutions and public authorities. The final report also describes the different organisations who could benefit from the services provided under the pilot on p. 3-4, which is the general public administration of the Brussels Capital Region. The final report also describes the outcome of the pilot project on pages 4 and 8. The project has successfully led to a feasibility study and trainings on how to use legal and Artificial Intelligence innovation to foster administrative simplification and inclusion.

Pilot project 2 is called 'AI Strategy for the Brussels Region'. The final report for this project describes the pilot project on p. 3. The report indicates that the project aims to propose a concrete roadmap for Artificial Intelligence development in the Brussels Capital Region and, in particular, within its administrations. The final report also lists the actors involved in the pilot on p. 1-2, notably from academic institutions and public authorities. The final report also describes the different organisations who could benefit from the services provided under the pilot on p. 3, namely the general public administration of the Brussels Capital Region. The final report also describes the outcome of the pilot project on page 4: a benchmark study was made to provide an inventory of the Artificial Intelligence strategies in other regions and cities and a framework proposing a concrete vision for the use of Artificial Intelligence by the Brussels regional administration has been created.

Pilot project 3 is called 'Animal Welfare and AI'. The final report for this project describes the pilot project on p. 3. The report indicates that the project aims to assist the authorities in tracking and controlling illegal advertisements for animal sales with the help of Artificial Intelligence. The final report also lists the actors involved in the pilot on p. 1, notably from academic institutions and public authorities. The final report also describes the different organisations who could benefit from the services provided under the pilot on p. 5, namely the inspection services relevant for illegal advertising of animal sales (police, the regional and municipal services). The final report also describes the outcome of the pilot project on page 4-6: researchers developed a proof of concept of an automatic software solution to detect illegal online advertisements for animal sales.

Pilot project 4 is called 'Matching on the job market'. The final report for this project describes the pilot project on p. 1-2 and p. 3. The report indicates that the goal of the project is to develop a system able to match profiles of job seekers with job offers with the help of Artificial Intelligence. The final report also lists the actors involved in the pilot on p. 1, notably from academic institutions and public authorities. The final report also describes the different organisations who could benefit from the services provided under the pilot on p. 3-4: notably Actiris, the public employment service of the Brussels Capital Region, but also employers and jobseekers. The final report also describes the outcome of the pilot project on p. 5-6: researchers developed a proof of concept of a software solution matching profiles of jobseekers to job offers.

**The four completed pilot projects provided support services (such as training, development of proof of concepts of software solutions).**

Pilot project 1 ('Simplex: Innovation for administrative simplification') was completed no later than by 29 July 2022, as evidenced by the email « Re: RRF – I-2.14 – Rapport(s) scientifique(s) » dated 29 July 2022, which was sent by the co-director of FARI (contractor) to the Attachée European Affairs of the Brussels regional administration, and which contains a link to the documents (including the final reports) shared by FARI with the CIRB-CIBG. The final report for this pilot project describes on p. 4 that the pilot project provided support services by

- (i) providing a **proof of concept of a software solution** to foster administrative simplification: the project identified a methodology based on the use of large language models to detect and flag sections of regional legal texts that do not respect the principles of ‘only once’ (whereby citizens and businesses must only provide the same data once to the authorities) and technology neutrality. This methodology is outlined in slides 16 to 25 of the presentation ‘Simplex’ given on 19 September 2022 by FARI to the Brussels authorities. The set of programming languages, frameworks, libraries and technologies used to build the proof of concept is described in the final report on pages 5 to 8. The annotations used to train the large language model and the source code of the proof of concept were shared by the Belgian authorities through a link (see Ares(2024)6661640);
- (ii) organising a discussion and **training** about the ‘rules as code’ approach (namely the process of drafting rules in legislation, regulation, and policy in code so they can be read and used by computers, for example to automate part of compliance, as defined in this report by the OECD, p. 17: [https://www.oecd.org/en/publications/cracking-the-code\\_3afe6ba5-en.html](https://www.oecd.org/en/publications/cracking-the-code_3afe6ba5-en.html)) for the regional administration and by organising an awareness-raising event on this topic for the general public. Both activities were part of an event in Brussels on 24 November 2022, as evidenced by the programme of the event, which was attached to an email, dated 21 May 2024, sent by the co-director of FARI to the Brussels regional administration (see ‘evidence provided’) and by the registration website (<https://be.brussels/nl/over-het-gewest/2411-rules-code>). A presentation ‘The Simplex Project: A Regional Legislation Database & AI-based Tools for Better Legislation’ (see ‘evidence submitted’) was delivered by members of FARI in the context of this event, covering among other things ‘rules as code’ on slides 5 to 10.
- (iii) organizing a **training** for public servants on the topic of ‘legal design’ (an approach to better make the content of regulations more understandable, for example with visual tools) in Brussels on 13 December 2022, as evidenced by a screenshot of the registration website, which was attached to an email, dated 21 May 2024, sent by the co-director of FARI to the Brussels regional administration (see ‘evidence provided’). The presentation given by FARI on that occasion (‘Le legal design pour l’administration publique’, dated 13 December 2022 on slide 76), which discusses legal design on slides 46 to 107, was also provided as evidence, see ‘evidence submitted’. A further training on legal design was organized on 8 March 2024 (registration link: <https://www.eventbrite.fr/e/legal-design-pour-les-organisations-en-francais-tickets-823511724737>).

Pilot project 2 (‘AI Strategy for the Brussels Region’) was completed no later than by 29 July 2022, as evidenced by the email « Re: RRF – I-2.14 – Rapport(s) scientifique(s) » dated 29 July 2022, which was sent by the co-director of FARI (contractor) to the Attachée European Affairs of the Brussels regional administration, and which contains a link to the documents (including the final reports) shared by FARI with the CIRB-CIBG. The final report for this pilot project describes on p. 4 that the pilot project provided support services by delivering a study entitled ‘Benchmark study on urban AI strategies’ about Artificial Intelligence strategies implemented in other cities, Belgian regions and the EU (see evidence provided) on the basis of a desk-based research, as well as by writing a vision for the use of Artificial Intelligence by the Brussels regional administration following an ‘OGSM’ (‘objectives-goals-strategies-measures’) framework. The framework describes objectives, goals, policies and ultimately Artificial Intelligence use cases for the administration of the Brussels Capital Region, which can be found on pages 23, 29 and 30 of the presentation entitled ‘Pilot project: AI strategy for Brussels’. These actions constitute a **support service**, as the administration of the Brussels Capital Region can draw inspiration from the study and the vision in the rollout and use of Artificial Intelligence throughout its activities, such as by introducing dynamic traffic lights to optimize traffic flows or using image processing for trash detection and handling.

Pilot project 3 ('Animal Welfare & AI') was completed no later than by 29 July 2022, as evidenced by the email « Re: RRF – I-2.14 – Rapport(s) scientifique(s) » dated 29 July 2022, which was sent by the co-director of FARI (contractor) to the Attachée European Affairs of the Brussels regional administration, and which contains a link to the documents (including the final reports) shared by FARI with the CIRB-CIBG. The final report for this pilot project describes on p. 3-4 that the pilot project provided support services by **developing a proof of concept of a software solution** to detect online ads that do not comply with the legislation regarding advertisements for the sale of animals. This is evidenced by the software documentation (information for maintainers of the software, including on its structure, execution, maintenance needs and technical requirements) written by FARI (see 'evidence provided') and signed by the director of FARI on 10 October 2024. Pilot project 4 ('Employment project: matching on the job market') was completed no later than by 29 July 2022, as evidenced by the email « Re: RRF – I-2.14 – Rapport(s) scientifique(s) » dated 29 July 2022, which was sent by the co-director of FARI (contractor) to the Attachée European Affairs of the Brussels regional administration, and which contains a link to the documents (including the final reports) shared by FARI with the CIRB-CIBG. The final report for this pilot project describes on p. 5-6 that the pilot project provided support services by **developing a proof of concept of a software solution** matching profiles of jobseekers to job offers, in order to propose job offers to jobseekers and jobseeker profiles to employers. The used code and test results of this software solution were provided through a link in a Word file (see Ares(2024)7268567)). The concept for this solution was presented by FARI on 21 December 2021, as evidenced by the presentation 'Actiris project. Matching and recommendation on the job market'.

**These services were directed to profit or non-profit organisations or public organisations.** Sections 1 and 2 of each of the four submitted final reports describe the organisations to which the services provided under the pilot projects were directed, which are all public organisations. Pilot project 1 ('Simplex: Innovation for administrative simplification') and pilot project 2 ('AI Strategy for the Brussels Region') were directed to the general public administration of the Brussels Capital Region. Pilot project 3 ('Animal Welfare & AI') was directed in particular to the inspection services relevant for illegal advertising of animal sales (police, the regional and municipal services). Pilot project 4 ('Employment project: matching on the job market') was directed in particular to Actiris, the public employment service of the Brussels Capital Region.

**Furthermore, in line with the description of the measure, through these four pilot projects the AI for the Common Good Institute Brussels (FARI) promotes the development of AI solutions in collaboration with academia, businesses, policy-making and citizens,** notably since they all involved close engagement, consultation and joining of forces between researchers from the Vrije Universiteit Brussel (VUB) and Université Libre de Bruxelles (ULB) and representatives of administrative bodies of the Brussels Capital Region, as described in the first section of each pilot project's final report. Moreover, by promoting the 'only once' principle, pilot project 1 ('Simplex: Innovation for administrative simplification') facilitates interaction between the administration and citizens or businesses by reducing the regulatory reporting burden. Pilot project 4 ('Employment project: matching on the job market') also serves to connect jobseekers (citizens) with employers (businesses) by extracting information from job offers provided by businesses and matching it algorithmically against jobseeker profiles.

**The four completed pilot projects addressed areas such as education in AI, healthcare, and employment in the Brussels Region.** More specifically, the area of focus of pilot project 1 ('Simplex: Innovation for administrative simplification') was administrative simplification. Pilot project 2 ('AI Strategy for the Brussels Region') has a cross-cutting focus on policy objectives of the Brussels Capital Region, including areas such as access to education and healthcare, employment, environment and mobility, as shown on page 23 of the presentation 'Pilot project: AI strategy for Brussels'. Pilot project 3 ('Animal Welfare & AI')

was centred on animal welfare. Pilot project 4 ('Employment project: matching on the job market') addressed employment in the Brussels Capital Region.

**Furthermore, in line with the description of the measure, these projects promote the use of AI in areas such as health and well-being, environment, mobility, energy, and media and democracy.** Pilot project 1 promoted the use of Artificial Intelligence to foster administrative simplification, by offering a proof of concept of Artificial Intelligence-based software solutions and training to public administrations. Pilot project 2 ('AI Strategy for the Brussels Region') promotes the use of Artificial Intelligence by proposing a vision for its use across diverse policy areas of the Brussels Capital Region, including areas such as access to education and healthcare, employment, environment and climate, energy, mobility and innovation, as shown on page 23 of the presentation 'Pilot project: AI strategy for Brussels'. Pilot project 3 ('Animal Welfare & AI') promoted the use of Artificial Intelligence for environmental protection, by creating an Artificial Intelligence software solution to identify illegal online advertisements for animal sales to combat trade in endangered species. Pilot project 4 ('Employment project: matching on the job market') promotes the use of AI to enhance citizens' well-being by improving their labour market outcomes.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 91 – 5G auction

**Related Measure:** R-2.03 - Introduction of 5G – National fixed and mobile broadband plan

**Qualitative Indicator:** Organisation and implementation of 5G auction under investment friendly conditions by the Belgian Institute for postal services and telecommunications

**Time:** Q2 2022

### 1. Context:

This reform aims, both at the federal and regional level, to remove bottlenecks, including regulatory bottlenecks, for the deployment of 5G and for the deployment of ultra-fast connectivity infrastructure such as fibre. As part of the reform a 5G law and related Royal Decrees to assign EU pioneer spectrum bands shall enter into force, the auctioning of the 5G spectrum shall be completed and the EU Connectivity Toolbox shall be implemented. At the regional level, this reform entails the revision of the legislative framework on radiation standards, if deemed necessary and recommended by the relevant committees.

Milestone 91 requires the completion of a 5G auction by the federal telecommunications regulator (Belgian Institute for Postal Services and Telecommunications, hereafter 'BIPT'). This concerns in particular: a call for candidates, licensing decision of the BIPT.

Milestone 91 is the third milestone or target of the reform, and it is accompanied in this payment request by milestone 92, related to the publication of a report by the federal Ministry of Telecommunications on the state of play of the implementation of the EU Connectivity Toolbox, and by milestone 93, related to the revision of the legislative frameworks of the three regions on radiation standards. It follows the completion of milestone 89, related to the adoption of the implementation plan of EU Connectivity Toolbox best practices, and milestone 90, related to the publication of the legislative framework for 5G spectrum assignment. The reform has a final expected date for implementation in Q3 2022.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	Copy of the auctioning of rights of use for radio frequencies in the frequency band 700MHz	This document is a call for candidates for the frequency band 700MHz under the 5G auction, published by BIPT on the Official journal on 14 January 2022, and available at the link <a href="#">14_1.pdf (fgov.be)</a> – pages 1482 to 1485.
3	Copy of the auctioning of rights of use for radio frequencies in the frequency band 3600MHz	This document is a call for candidates for the frequency band 3600MHz under the 5G auction, published by BIPT on the Official journal on 14 January 2022, and

		available at the link <a href="#">14_1.pdf (fgov.be)</a> – pages 1486 to 1489.
4	Decision of the BIPT Council of 23 August 2022 concerning the allocation to Orange Belgium SA of rights of use in the 3 600 MHz band	The decisions explain the procedure followed and the allocation of frequency bands to each candidate. The licensing decisions for frequency band 700MHz and 3600MHz are dated from 23 August 2022, and they are signed.
5	Decision of the BIPT Council of 23 August 2022 concerning the allocation to Proximus SA of rights of use in the 3 600 MHz band	
6	Decision of the BIPT Council of 23 August 2022 Concerning the assignment to Telenet Group SA of rights of use in the 3 600 MHz band	
7	Decision of the BIPT Council of 23 August 2022 concerning the allocation to Citymesh Mobile SA of rights of use in the 3 600 MHz band	
8	Decision of the BIPT Council of 23 August 2022 concerning the allocation to Network Research Belgium SA of rights of use in the 3 600 MHz band	
9	Decision of the BIPT Council of 23 August 2022 concerning the allocation to Orange Belgium SA of rights of use in the 700 MHz band	
10	Decision of the BIPT Council of 23 August 2022 Concerning the assignment to Telenet Group SA of rights of use in the 700 MHz band	
11	Decision of the BIPT Council of 23 August 2022 concerning the allocation to Citymesh Mobile SA of rights of use in the 700 MHz band	
12	Decision of the BIPT Council of 23 August 2022 concerning the allocation to Proximus SA of rights of use in the 700 MHz band	

### 3. Analysis:

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

**Completion of 5G auction by the federal telecommunications regulator (Belgian Institute for Postal Services and Telecommunications) in particular: call for candidates, licensing decision of Belgian Institute for Postal Services and Telecommunications.**

The Council Implementing Decision refers to the ‘5G spectrum auction’ in the measure description. ‘5G auction’ refers to the auction of the 700 MHz and 3600 MHz spectrum bands, which are the spectrum bands for which a legislative framework was adopted in the context of the satisfactory fulfilment of the preceding milestone 90 (‘Publication of the legislative framework for 5G spectrum assignment’) of this reform.

The calls for candidates for the “auction of rights of use for radio frequencies in the 700 MHz and 3600 MHz frequency bands” were issued on 14 January 2022, by BIPT (*evidence n°2 and 3*). They detail to the potential candidates the elements needed to apply for the auction and provide an exhaustive form to be

filled-in to apply for the auction. Two sets of frequency bands were put to auction: 3410-3800MHz and 703-733MHz/758-788MHz. The calls for candidates respectively refer to the Royal Decree of 28 November 2021 on radio access in the 3400-3800 MHz frequency band and the Royal Decree of 28 November 2021 on radio access in the 700 MHz frequency band. The deadline for applying was 16 February 2022, at 10h.

The licensing decisions were adopted by BIPT on 23 August 2022, for frequency bands 700MHz and 3600MHz (evidence n°4 to 12). The licensing decisions are summarised in the table below:

Candidates	Decisions per frequency bands	
Orange Belgium SA	713-723/768-778MHz	3600-3700MHz
Proximus SA	723-733/778-788MHz	3700-3800MHz
Telenet Group SA	708-713/763-768MHz	3480-3580MHz
Citymesh Mobile SA	703-708/758-763MHz	3430-3480MHz/3410-3430MHz
Network Research Belgium SA		3580-3600MHz

**Lastly, the Council Implementing Decision required in the measure description that the 5G spectrum auction was completed by 30 June 2022.** The main auctioning took place between 1 June and 20 June 2022. The final step of the 5G auction, which is the issuing of the licensing decisions, was completed on 23 August 2022. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the 5G spectrum auction was completed before the submission of the second payment request by Belgium. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 92 - Status Connectivity Toolbox implementation

**Related Measure:** R-2.03 - Introduction of 5G – National fixed and mobile broadband plan

**Qualitative Indicator:** Publication of a report on the state of play of implementation of the Connectivity Toolbox

**Time:** Q2 2022

### 1. Context:

This reform aims, both at the federal and regional level, to remove bottlenecks, including regulatory bottlenecks, for the deployment of 5G and for the deployment of ultra-fast connectivity infrastructure such as fibre. As part of the reform, a 5G law and related Royal Decrees to assign EU pioneer spectrum bands shall enter into force, the auctioning of the 5G spectrum shall be completed under investment-friendly conditions and the EU Connectivity Toolbox shall be implemented. At the regional level, this reform entails the revision of the legislative framework on radiation standards, if deemed necessary and recommended by the relevant committees.

Milestone 92 requires that a report be published by the federal Ministry of Telecommunications on the state of play of implementation of the Connectivity Toolbox in accordance with the scope and process outlined in the Belgian Connectivity Toolbox implementation roadmap.

Milestone 92 is the fourth milestone or target of the reform, and it is accompanied in this payment request by milestone 91, related to the organisation and implementation of a 5G auction, and by milestone 93, related to the revision of the legislative frameworks of the three regions on radiation standards. It follows the completion of milestone 89, related to the adoption of the implementation plan of EU Connectivity Toolbox best practices, and milestone 90, related to the publication of the legislative framework for 5G spectrum assignment. The reform has a final expected date for implementation in Q3 2022.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	Copy of the Connectivity Toolbox Implementation Report of Belgium	The document is a report dated from 29 April 2022, and it was published by the federal Ministry of Telecommunications on the European Commission's website on 19 May 2022. It is accessible at the following link: <a href="#">Connectivity toolbox: Member States' implementation reports   Shaping Europe's digital future (europa.eu)</a> The report presents the state of play of the implementation of the 20 best practices applicable to Belgium that are displayed in the Belgian Connectivity Toolbox implementation roadmap.

3	Copy of the Connectivity Toolbox Implementation roadmap of Belgium	<p>The document is a report that was submitted to the European Commission on 30 April 2021 and published on its website on 16 May 2021. The <b>Belgian Connectivity Toolbox implementation roadmap</b> is accessible at the following link: <a href="#">Connectivity Toolbox: Member States develop and share roadmaps for the Toolbox implementation   Shaping Europe’s digital future (europa.eu)</a>.</p> <p>The report analyses the 39 best practices of the Connectivity Toolbox and, for each of them, details the <b>scope of best practices applicable in the national context</b>. When relevant, <b>a process to implement the best practice</b> is outlined.</p>
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**3. Analysis:**

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

**Report published by the federal Ministry of Telecommunications on state of play of implementation of the Connectivity Toolbox...**

The **“Connectivity Toolbox Implementation Report of Belgium”** was submitted to the European Commission on 29 April 2022 for publication and **published on its website on 19 May 2022** (*evidence n°2*). The European Commission published the Belgian report as well as the Connectivity Toolbox Implementation reports of the other Member States at the following link : [Connectivity toolbox: Member States' implementation reports | Shaping Europe’s digital future \(europa.eu\)](#).

The **Implementation report** is a detailed assessment of the implementation of the 39 best practices of the Connectivity Toolbox displayed in the Implementation roadmap, with a special focus on 20 selected best practices considered as relevant for Belgium. Indeed, the federal administrations collaborated to make a detailed assessment of the Implementation roadmaps and its state of play. 20 best practices were selected for their relevance in the national situation in Belgium. The remaining 19 best practices were assessed as being already sufficiently implemented in Belgium and/or that their implementation would not be proportionate in view of the current state of the Belgian legislation” (*evidence n°2, page 2*). Among the 20 best practices selected from the Connectivity Toolbox to be implemented in Belgium, 17 are part of the “net cost reduction” aspect (Best Practices 1, 2, 3, 4, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 20, 21, 22) and 3 are part of the “access to 5G spectrum” aspect (Best Practices 25, 28, 36) (see *page 26 of evidence n° 2*). : This implementation report assesses all the best practices of the Connectivity Toolbox, including those considered sufficiently implemented in Belgium and/or such that their implementation would not be proportionate in view of the current state of the Belgian legislation. The state of play of the implementation of the 20 selected best practices is detailed in the table below. “

In the Implementation report (*evidence n°2, page 2*) it is stated that: “The Belgian implementation report was then finally validated on a political level through a written DGE procedure on 28 April 2022”. The DGE corresponds to the “Directorate-General for European Affairs and Coordination [...] which is the responsible platform within the **FPS Foreign Affairs for intra-Belgian coordination**” (*evidence n°2, page 1*).

**...In accordance with the scope and process outlined in the Belgian Connectivity Toolbox implementation roadmap**

'The **scope**' refers to the 20 best practices identified as relevant for Belgium in the **Implementation roadmap** (*evidence n°2, page 2*) (more specifically the 17 best practices regarding the "net cost reduction" aspect and 3 best practices regarding the "5G spectrum" aspect). The scope was analyzed in the preliminary assessment of milestone 89 in the preliminary assessment of the first payment request. In the "Connectivity Toolbox **Implementation Report of Belgium**", each best practice has been attributed one of the following three statuses: ON-GOING when the Toolbox roadmap measures are being implemented, IMPL when the Toolbox roadmap measures are already implemented, and NOM when no measures was planned in Toolbox roadmap as the best practice is addressed by previous measures in place. The report provides the status of implementation of each of the best practices as identified in the Belgian Connectivity Toolbox implementation roadmap and is in accordance with the scope outlined in that roadmap.

'The **process**' refers to the "expected plan and indicative timing or, when not deemed useful, reasons why not" detailed in the **Implementation roadmap** (*evidence n°3*). The 20 selected best practices have an "expected plan and indicative timing", while the remaining 19 best practices have "reasons why [they are] not" considered as relevant in the Belgian situation. It can be that the best practice is considered disproportional for Belgium or that existing legislations are already in place and are sufficiently implemented. In the **Implementation report**, the description of the status of implementation of each best practices explains the process followed to implement the best practice and it analyses to what extent it is line with the 'expected plan' presented in the Implementation roadmap. Therefore, the report is in accordance with the process outlined in the roadmap.

Considering this and based on the analysis (and the table below), which addresses each of the steps listed in the milestone description individually, it is considered that the constitutive elements of the milestone are satisfactorily fulfilled.

*Table: The state of implementation of the 20 relevant best practices for Belgium and their accordance with the "expected plan" from the Implementation roadmap.*

<b>Best Practice</b>	<b>State of Implementation</b>	<b>Mention of the Belgian Connectivity Toolbox implementation roadmap</b>
<i>Best Practice 1: Introduce permit exemptions and fast track procedures and promote the application of existing lighter permit granting procedures.</i>	ON-GOING	Explicit mention of the implementation roadmap and its proposed process.
<i>Best Practice 2: Provide model regulations on electronic communications network deployment</i>	ON-GOING	Explicit mention of the implementation roadmap and its proposed process.
<i>Best Practice 3: Provide informative materials and workshops for municipalities and other competent authorities.</i>	IMPL	The roadmap is not mentioned but the process carried is the same as that explained in the roadmap: the "fiber vademecum".
<i>Best Practice 4: Ensure the use of electronic means for permit applications.</i>	ON-GOING	The roadmap is not mentioned but the process carried is the same as that explained in the roadmap: identify the "missing digital links".

Best Practice 8: <i>Establish broadband coordinators.</i>	IMPL	The roadmap is not mentioned but the process carried is the same as that explained in the roadmap: expanding the tasks of the BCO.
Best Practice 9: <i>Use of joint preparatory coordination procedures for granting rights of way and permits necessary for civil works.</i>	ON-GOING	Explicit mention of the implementation roadmap and its proposed process.
Best Practice 10: <i>Legal requirements with regard to the appropriateness of fees.</i>	ON-GOING	Explicit mention of the implementation roadmap and its proposed process.
Best Practice 11: <i>Ensure the availability of information from different sources and enhance transparency of planned civil works</i>	IMPL	Explicit mention of the implementation roadmap and its proposed process.
Best Practice 12: <i>Ensure the availability of information via the single information point (SIP) in electronic format.</i>	IMPL	The roadmap is not mentioned but the process carried is the same as that explained in the roadmap: identifying the “missing digital links” and starting a digitalisation process.
Best Practice 14: <i>Make available indicative information on the occupation level of the infrastructure and/or existence of dark fiber.</i>	IMPL	The roadmap is not mentioned but the process carried is the same as that explained in the roadmap: the “empty” text fields.
Best Practice 15: <i>Ensure the provision via the single information point (SIP) of transparent information regarding the conditions of access to the existing physical infrastructure.</i>	ON-GOING	Explicit mention of the implementation roadmap and its proposed process.
Best Practice 16: <i>Ensure access to physical infrastructure controlled by public bodies.</i>	ON-GOING	The roadmap is not mentioned but the process carried is the same as that explained in the roadmap: the access to physical infrastructure.
Best Practice 17: <i>Entrust a body with a promotor and/or coordinator role.</i>	ON-GOING	The roadmap is not mentioned but the process carried is the same as that explained in the roadmap: the identification of a competent body.
Best Practice 18: <i>Development of guidelines for all governance levels.</i>	ON-GOING	This follows BP17.
Best Practice 20: <i>Ensure transparency, awareness and trust in the dispute resolution mechanism by issuing guidelines.</i>	IMPL	The roadmap is not mentioned but the process carried is the same as that explained in the roadmap: publication of a website.
Best Practice 21: <i>Ensure electronic communication and submission for parties.</i>	IMPL	The roadmap is not mentioned but the process carried is the

		same as that explained in the roadmap: installation of appropriate electronic means.
Best Practice 22: <i>Ensure electronic communication and submission for parties.</i>	ON-GOING	Explicit mention of the implementation roadmap and its proposed process.
Best Practice 25: <i>Timely availability of 5G harmonised bands.</i>	ON-GOING	The roadmap is not mentioned but the process carried is the same as that explained in the roadmap: auctioning of bands 700MHz and 3600MHz.
Best Practice 28: <i>Individual authorisation regime for the 24.25-27.5 GHz frequency band.</i>	NOM	Explicit mention of the implementation roadmap and its proposed process.
Best Practice 36: <i>When identifying the appropriate authorisation regime member states should pay particular attention to any specificities resulting from a cross-border dimension.</i>	IMPL	The roadmap is not mentioned but the process carried is the same as that explained in the roadmap: implementation of a harmonized frame structure in the BENELUX.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 93 - Revision of the legislative framework of the three regions on radiation standards

**Related Measure:** R-2.03 - Introduction of 5G – National fixed and mobile broadband plan

**Qualitative Indicator:** Revision of the regional legislative frameworks on radiation standards on the basis of recommendations by competent committees and commissions

**Time:** Q3 2022

### 1. Context:

This reform aims, both at the federal and regional level, to remove bottlenecks, including regulatory bottlenecks, for the deployment of 5G and for the deployment of ultra-fast connectivity infrastructure such as fibre. As part of the reform a 5G law and related Royal Decrees to assign EU pioneer spectrum bands shall enter into force, the auctioning of the 5G spectrum shall be completed under investment-friendly conditions and the EU Connectivity Toolbox shall be implemented. At the regional level, this reform entails the revision of the legislative framework on radiation standards.

Milestone 93 requires in particular that the Flemish, Walloon and Brussels Capital Region adapt their respective legislative frameworks to amend radiation standards and allow for effective 5G spectrum deployment. The adapted legislative frameworks will also enter into force.

Milestone 93 is the fifth and last milestone of the reform, and it is accompanied in this payment request by milestone 91, related to the organisation and implementation of a 5G auction, and milestone 92, related to the publication of a report on the state of play of the implementation of the EU Connectivity Toolbox. It follows the completion of milestone 89, related to the adoption of the implementation plan of EU Connectivity Toolbox best practices, and milestone 90, related to the publication of the legislative framework for 5G spectrum assignment.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note Flemish Region	Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the CID annex) was satisfactorily fulfilled, in particular for elements concerning the Flemish Region.
2	Cover note Walloon Region	Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the CID annex) was satisfactorily fulfilled, in particular for elements concerning the Walloon Region.
3	Cover note Brussels Capital Region	Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in

		the description of milestone and of the corresponding measure in the CID annex) was satisfactorily fulfilled, in particular for elements concerning the Brussels Capital Region.
4	Decision of the Flemish Government to amend the Decision of the Flemish Government of 1 June 1995 concerning general and sectorial provisions regarding environmental hygiene and the Decision of the Flemish Government of 12 December 2008 implementing Title XVI of the decree of 5 April 1995 concerning general provisions regarding environmental policies, concerning fixed and temporary transmitting antennas for electromagnetic waves between 100 kHz and 300 GHz	<p>Copy of the Decision adapting the legislative framework in the Flemish Region, amending radiation standards.</p> <p>Original name: <i>Besluit van de Vlaamse Regering tot wijziging van het besluit van de Vlaamse Regering van 1 juni 1995 houdende algemene en sectorale bepalingen inzake milieuhygiëne en het besluit van de Vlaamse Regering van 12 december 2008 tot uitvoering van titel XVI van het decreet van 5 april 1995 houdende algemene bepalingen inzake milieubeleid, wat betreft vast en tijdelijk opgestelde zendantennes voor elektromagnetische golven tussen 100 kHz en 300 GHz</i></p> <p>The Decision was adopted on 10 June 2022, published in the Official Journal on 25 July 2022 with reference number <a href="#">2022015362</a> and entered into force on 31 July 2022.</p>
5	Decree modifying the decree of 3 April 2009 concerning the protection against the potential harmful effects and nuisances caused by non-ionising radiation generated by fixed transmitting antennas.	<p>Copy of the decree adapting the legislative framework in the Walloon Region, amending radiation standards.</p> <p>Original name: <i>Décret modifiant le décret du 3 avril 2009 relatif à la protection contre les éventuels effets nocifs et nuisances provoqués par les rayonnements non ionisants générés par des antennes émettrices stationnaires</i></p> <p>The decree was adopted on 8 December 2022, published in the Official Journal on 16 December 2022 with reference number <a href="#">2022034728</a> and entered into force on 26 December 2022.</p>
6	Ordinance modifying the Ordinance of 1 March 2007 concerning the protection of the environment against the potential harmful effects and nuisances caused by non-ionising radiation, the Ordinance of 5 June 1997 concerning the environmental permits and the Ordinance of 2 May 2013	<p>Copy of the ordinance adapting the legislative framework in the Brussels Capital Region, amending radiation standards.</p> <p>Original name: <i>Ordonnantie tot wijziging van de ordonnantie van 1 maart 2007 betreffende de bescherming van het leefmilieu tegen de eventuele schadelijke effecten en hinder van niet-ioniserende stralingen, de ordonnantie van 5 juni 1997 betreffende de milieuvergunningen en de ordonnantie van 2 mei 2013 houdende het Brussels Wetboek van Lucht, Klimaat en Energiebeheersing / Ordonnance modifiant l'ordonnance du</i></p>

	concerning the Brussels Code on Air, Climate and Energy Control.	<p><i>1er mars 2007 relative à la protection de l'environnement contre les éventuels effets nocifs et nuisances provoqués par les radiations non ionisantes, l'ordonnance du 5 juin 1997 relative aux permis d'environnement et l'ordonnance du 2 mai 2013 portant le Code bruxellois de l'Air, du Climat et de la Maîtrise de l'Énergie</i></p> <p>The ordinance was adopted on 2 March 2023, published in the Official Journal on 4 April 2023 with reference number <a href="#">2023030631</a> and entered into force on 1 May 2023.</p>
7	<p>Recommendations of the deliberative committee charged with the formulation of recommendations concerning the deployment of 5G in the Brussels Capital Region, considering the environment, health, the economy, employment and technological aspects (<i>Aanbevelingen van de overlegcommissie belast met het formuleren van aanbevelingen over de uitrol van 5G in het Brussels Hoofdstedelijk Gewest, rekening houdend met het leefmilieu, de gezondheid, de economie, de werkgelegenheid en de technologische aspecten/ Recommendations de la commission délibérative chargée de formuler des recommandations relatives à l'implantation de la 5G en Région de BruxellesCapitale, en tenant compte de l'environnement, de la santé, de l'économie, de l'emploi et des aspects technologiques</i></p>	<p>Recommendations on radiation standards discussed and adopted on 5 June 2021 by a deliberative commission, which was composed of citizens and members of parliament sitting on the committee for environment and energy of the parliament of the Brussels Capital Region. Available at: <a href="http://weblex.brussels/data/crb/doc/2020-21/142259/images.pdf">http://weblex.brussels/data/crb/doc/2020-21/142259/images.pdf</a>.</p>

**3. Analysis:**

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

## **Adaptation and entry into force of the respective legislative frameworks of the Flemish Region, Brussels Capital Region and Walloon Region, amending radiation standards to allow for effective 5G spectrum deployment.**

### FLEMISH REGION

**The Flemish Government approved a Decision** (evidence number 4, hereafter ‘the Decision of 10 June 2022’) on 10 June 2022, which was published in the Official Journal on 25 July 2022 (reference number [2022015362](#)) and **which entered into force on 31 July 2022**, as specified by article 15 of the same Decision. The Decision of 10 June 2022 adapts the Decision of the Flemish Government of 1 June 1995 concerning general and sectorial provisions regarding environmental hygiene (*Besluit van de Vlaamse regering van 1 juni 1995 houdende algemene en sectorale bepalingen inzake milieuhygiëne*). It also adapted the Decision of the Flemish Government of 12 December 2008 implementing Title XVI of the decree of 5 April 1995 concerning general provisions regarding environmental policies (*Besluit van de Vlaamse Regering van 12 december 2008 tot uitvoering van titel XVI van het decreet van 5 april 1995 houdende algemene bepalingen inzake milieubeleid*). **These two adapted Decisions form the relevant legislative framework of the Flemish Region.**

The Decision of 10 June 2022 **amends the radiation standards to allow for the effective deployment of 5G spectrum.**

- Article 5 introduces a standard that sets limits for the total radiation intensity produced by all combined antennas of a given operator in a given location (e.g. 9.2 V/m for 900 MHz, with limits depending on frequencies), replacing the old radiation standards which set limits for radiation intensity generated per antenna. While the old standard per antenna was too low for 5G as a single 5G antenna produces more intensity than a single antenna broadcasting for example 4G, the new standard allows operators to distribute the available transmission intensity more flexibly among different technologies, such that operators can offer 5G as well as a combination of 5G and 4G, depending on circumstances.
- Article 1 (2° and 3°) modify the definitions of transmitting antennas included in the Decision of 1 June 1995 in order to make them independent of technology. Modern antennas can switch between using different technologies (such as generating 4G and 5G signals) but can only use one of these technologies at full power at the same time. Under the definition used in the old legislative framework, a single modern antenna that could use multiple technologies would have been regarded as multiple antennas and needed conformity certificates for each used technology as if it concerned separate antennas, each presumed to use their full power. For the purposes of checking compliance with the radiation standards in place, radiation exposure is calculated based on the awarded conformity certificates for antennas in a given location. The old definition would thus significantly overestimate actual exposure to radiation, limiting the possibility of operators to deploy 5G.

The amendments to the radiation standards of the Flemish Region allow for the deployment of 5G by setting enabling conditions for the provision of relevant network infrastructure (as described in the above paragraph). Data (last updated in April 2024) by the Belgian Institute for Postal Services and Telecommunications, the federal regulator, shows that in the Flemish Region each of the three network operators covers at least 76.7% of the population with a 5G signal of ‘good’ quality. See <https://www.bipt-data.be/nl/projects/atlas/mobile>.

### WALLOON REGION

**The Walloon Parliament adopted a Decree** (evidence number 5, hereafter ‘the Decree of 8 December 2022’) on 8 December 2022, which was published in the Official Journal on 16 December 2022 (reference number [2022034728](#)) and **which entered into force on 26 December 2022**. The entry into force of this Decree happened 10 days after its publication in the Official Journal, as per Article 56 of the Law of 8 August 1980 (*Bijzondere wet tot hervorming der instellingen/Loi spéciale de réformes institutionnelles*). The Decree of 8 December 2022 adapts the Decree of 3 April 2009 concerning the protection against the potential harmful effects and nuisances caused by non-ionising radiation generated by fixed transmitting antennas (*Décret du 3 avril 2009 relatif à la protection contre les éventuels effets nocifs et nuisances provoqués par les rayonnements non ionisants générés par des antennes émettrices stationnaires*). **This adapted Decree forms the relevant legislative framework of the Walloon Region.**

The Decree of 8 December 2022 **amends the radiation standards to allow for the effective deployment of 5G spectrum.**

- Article 4 replaces the radiation limit of 3 V/m per antenna in the Decree of 3 April 2009 with a limit of 9.2 V/m (at 900 MHz as example, with limits depending on frequencies) for the total radiation intensity produced by all the antennas of a given operator at a given location. While the old standard per antenna was too low for 5G as a single 5G antenna produces more intensity than a single antenna broadcasting for example 4G, the new standard allows operators to distribute the available transmission intensity more flexibly among different technologies, such that operators can offer 5G as well as a combination of 5G and 4G, depending on circumstances.

The amendments to the radiation standards of the Walloon Region allow for the deployment of 5G by setting enabling conditions for the relevant network infrastructure (as described in the above paragraph). Data (last updated in April 2024) by the Belgian Institute for Postal Services and Telecommunications, the federal regulator, shows that in the Walloon Region each of the three network operators covers at least 54.7% of the population with a 5G signal of ‘good’ quality. See <https://www.bipt-data.be/nl/projects/atlas/mobile>.

## BRUSSELS CAPITAL REGION

**The parliament of the Brussels Capital Region adopted an Ordinance** (evidence number 6, hereafter ‘the Ordinance of 2 March 2023’) on 2 March 2023, which was published in the Official Journal on 4 April 2023 (reference number [2023030631](#)) and **which entered into force on 1 May 2023**, as specified by Article 13 of the same Ordinance. The Ordinance of 2 March 2023 adapts the Ordinance of 1 March 2007 concerning the protection of the environment against the potential harmful effects and nuisances caused by non-ionising radiation (*Ordonnantie van 1 maart 2007 betreffende de bescherming van het leefmilieu tegen de eventuele schadelijke effecten en hinder van niet-ioniserende stralingen/Ordonnance du 1er mars 2007 relative à la protection de l’environnement contre les éventuels effets nocifs et nuisances provoqués par les radiations non ionisantes*). It also adapts the Ordinance of 5 June 1997 concerning the environmental permits (*Ordonnantie van 5 juni 1997 betreffende de milieuvergunningen/Ordonnance du 5 juin 1997 relative aux permis d’environnement*) and the Ordinance of 2 May 2013 concerning the Brussels Code on Air, Climate and Energy Control (*Ordonnantie van 2 mei 2013 houdende het Brussels Wetboek van Lucht, Klimaat en Energiebeheersing/Ordonnance du 2 mai 2013 portant le Code bruxellois de l’Air, du Climat et de la Maîtrise de l’Énergie*). **These three adapted Ordinances form the relevant legislative framework of the Brussels Capital Region.** Article 13 of the Ordinance of 2 March 2023 further specifies that the entry into force of Article 5, §2 (only the part concerning the future Article 4 §3 of the Ordinance of 1 March 2007), Article 8 and Article 11 of the same Ordinance is delayed. However, Article 5, §2 (only concerning the future Article 4 §3 of the Ordinance of 1 March 2007) only adds reporting requirements for operators on the energy efficiency and energy consumption of the transmitting equipment to the Ordinance of 1

March 2007. Article 8 inserts into the Ordinance of 1 March 2007 requirements for operators regarding information campaigns and statistics on waste management. Article 11 inserts into the Ordinance of 2 May 2013 requirements for operators to draft plans to reduce the energy consumption and carbon footprint of their activities. The delayed entry into force of these articles therefore does not hinder the effective deployment of 5G spectrum, since they do not set out the radiation standards themselves.

The Ordinance of 2 March 2023 **amends the radiation standards to allow for the effective deployment of 5G spectrum.**

- Article 3 adapts the Ordinance of 1 March 2007 by raising the limit for the cumulative radiation intensity from all antennas of all operators in a given location from 6 V/m to 14.5 V/m outdoors and to 9.19 V/m indoors (at 900 MHz, with equivalent limits for other frequencies). Recommendation 14 of the deliberative commission (evidence number 14) recommended to raise the radiation standard, since such an increase was necessary to allow for the deployment of new antennas for the 5G network, which is factually supported by other reports shared by the Belgian authorities (see page 11 of ‘Rapport du comité d’experts sur les radiations non ionisantes 2019-2020, evidence number 7)

The amendments to the radiation standards of the Brussels Capital Region allow for the deployment of 5G by setting enabling conditions for the relevant network infrastructure (as described in the above paragraph). Data (last updated in April 2024) by the Belgian Institute for Postal Services and Telecommunications, the federal regulator, shows that in the Brussels Capital Region each of the three network operators covers at least 39.1% of the population with a 5G signal of ‘good’ quality. See <https://www.bipt-data.be/nl/projects/atlas/mobile>.

**The description of the measure in the Council Implementing Decision required that the revised regional standards enter into force by 31 March 2022.** The revised radiation standards of the Flemish Region (the Decision of 10 June 2022) entered into force on 31 July 2022, the revised radiation standards for the Walloon Region (the Decree of 8 December 2022) entered into force on 26 December 2022 and the revised radiation standards of the Brussels Capital Region (the Ordinance of 2 March 2023) entered into force on 1 May 2023. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the regional standards entered into force still before the submission of the second payment request by Belgium (25 July 2024). Moreover, the data on 5G coverage provided by the Belgian Institute for Postal Services and Telecommunications (<https://www.bipt-data.be/nl/projects/atlas/mobile>) which are cited above demonstrate that the revised regional standards apply and have effect at the time of the assessment. On this basis, it is considered that this constitutive element of the measure description is satisfactorily fulfilled.

Furthermore, in line with the description of the measure, the above analysis shows that **the adaptation of the regional radiation standards removes regulatory bottlenecks at regional level for the deployment of 5G**, mainly by either raising a numerical limit for acceptable radiation intensity such that 5G technology is no longer hindered (such as in the Brussels Capital Region) or by replacing a limit per antenna by a new, more flexible limit per operator (such as in the Flemish and Walloon Regions).

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled

**Number and name of the Target:** 103 - Completion of rail refurbishment and modernisation works and station accessibility works (step 1)

**Related Measure:** I-3C - Rail refurbishment and station accessibility works

**Quantitative Indicator:** Completed works

**Baseline:** 0

**Target:** 32

**Time:** Q3 2022

**1. Context:**

The measure aims to refurbish rails and make railway stations more accessible. It consists of completing 59 interventions to upgrade rail infrastructure, making at least 25 stations accessible and building at least 6000 bicycle parking spaces in railway stations.

Target 103 entails the completion of 27 interventions to upgrade rail infrastructure, works to make 5 stations accessible and the addition of 6000 bicycle parking spaces.

Target 103 is the first step of the implementation of the investment. It is an intermediary target which will be followed by intermediary target 104 and final target 105, resulting in the completion of 59 interventions to upgrade rail infrastructure and works to make 25 stations accessible. The investment has a final expected date for implementation on 30 June 2026.

**2. Evidence provided:**

	Name of the evidence	Short description
1	Cover note	Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
2	Public service contract of NMBS/SNCB and annexes, approved on 23 December 2022	NMBS/SNCB public service contract approved by the federal Council of Ministers, concluded for a 10-year period (2023-2032).
3	Performance contract of Infrabel and annexes, approved on 23 December 2022	Infrabel performance contract approved by the federal Council of Ministers, concluded for a 10-year period (2023-2032).
4	Interventions overview Excel	An Excel spreadsheet with an overview of the interventions to upgrade rail infrastructure, including for each intervention.
5	Copy of <i>procès verbal</i> (PV) for 24 interventions to upgrade rail infrastructure	A copy of <i>procès verbal de réception</i> signed by the competent authority demonstrating the completion of works for interventions to upgrade rail infrastructure.

6	Infrabel declaration Q3 2022	Document where Infrabel confirms the interventions to upgrade rail infrastructure carried out by the end of the 3 <sup>rd</sup> quarter of 2022.
7	Copy of site visit report from the Ministry of Transport for 5 interventions to upgrade rail infrastructure	A copy of site visit reports drawn up and signed by a representative from the Ministry of Transport demonstrating the completion of works for interventions to upgrade rail infrastructure.
8	Accessible stations overview Excel	An Excel spreadsheet with an overview of the railway stations made accessible, including for each station:
9	Copy of <i>procès verbal</i> (PV) for 5 accessible stations	A copy of <i>procès verbal de réception</i> signed by the competent authority demonstrating the completion of works to make railway stations accessible.
10	Bicycle parking overview Excel	An Excel spreadsheet with an overview of the railway stations where bicycle parking spots were created, including for each station: <ul style="list-style-type: none"> <li>• its name;</li> <li>• its location;</li> <li>• the number of additional bicycle parking spaces;</li> <li>• a short description of the project;</li> <li>• a reference to the corresponding <i>procès-verbal</i>.</li> </ul>
11	Copy of <i>procès verbal</i> (PV) for 5 stations where bicycle parking spots were created	A copy of <i>procès verbal de réception</i> signed by the competent authority demonstrating the completion of works to create bicycle parking spots in railway stations.

### 3. Analysis:

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

#### Completion of 27 interventions to upgrade rail infrastructure (I-3.10)

The Belgian authorities have provided a list of interventions done to upgrade rail infrastructure, including their unique identifier, name, location of the intervention, category and type of works, and a short description of the intervention (Interventions overview Excel file). In addition, the Belgian authorities provided the following underlying evidence demonstrating completion of 29 of the listed interventions:

- PVs signed by the competent authority, dating from June 2021 to September 2024, which demonstrate full completion of the works in 24 interventions on lines L21C, L25, L28, L36, L50A, L53, L82, L86, L96, L124A, L130, L144, L165, L166, L216 and L217 and at the stations of Brussels-South, Schaarbeek, Neufville and Antwerp-North. The interventions consist of different types of works to upgrade rail infrastructure: electrification, introduction of signalling, and upgrading or renewal of tracks, bridges, structures and earthworks.
- Site visit reports signed by the Ministry of Transport, dating from June 2024, which demonstrate full completion of works in 5 interventions on L19, L90 and L96 and at the station of Leuven. The interventions concern works to upgrade or renew tracks and were carried out by public rail infrastructure manager, Infrabel, itself (without being contracted out to a third party under arrangements requiring the signing of PVs). Those site visits were performed pursuant to Annex IX of Infrabel's performance contract which stipulates that the Ministry of Transport in its

supervisory role is authorised to carry out additional checks and controls on Infrabel sites to be able to monitor the execution of the investments, including site visits.

- A declaration signed by Infrabel confirming the conclusion of the 29 interventions to upgrade rail infrastructure mentioned above.

Belgium has therefore surpassed the goal of 27 rail infrastructure interventions.

**Make 5 stations accessible (I-3.09) in accordance with Commission Regulation (EU) No 1300/2014 on at least 4 criteria:**

- **high platforms (76cm);**
- **platforms accessible through ramps or lifts;**
- **tactile warning surface guiding system; and**
- **at least one ticket vending machine accessible to persons with reduced mobility.**

The Belgian authorities provided a list of railway stations which were made accessible, including their name, location, category of works completed and a short description of the project (Accessible stations overview Excel file). In addition, Belgian authorities provided PVs signed by the contracting authority, dating from March 2022 to March 2024, demonstrating full completion of works to make 5 railway stations (Alken, Barvaux, Marche-en-Famenne, Berchem-Sainte-Agathe, Zwijndrecht) accessible, in accordance with Article 62 of the performance contract of Infrabel which explicitly requires the fulfilment of the 4 criteria established in Commission Regulation (EU) No 1300/2014. Specifically, for each of the 5 railway stations, works were done to ensure:

- that the platforms are at least 76cm high;
- that the platforms are accessible through ramps or lifts;
- the presence of a tactile warning surface guiding system; and
- the presence of one ticket vending machine accessible to persons with reduced mobility.

#### **Add 6 000 bicycle parking spaces**

Furthermore in line with the description of the measure, **building at least 6 000 bicycle parking spaces in railway stations.**

The Belgian authorities provided a list of railway stations where bicycle parking spots were created, including their name, location, the number of additional bicycle parking spaces created and a short description of the project (Bicycle parking overview Excel file). In addition, the Belgian authorities provided PVs signed by the contracting authority, dating from November 2021 to March 2023, demonstrating full completion of works to create a new bike parking in each of the following railway stations: Diest, Gent-Dampoort, Herenthals, Mechelen-Nekkerspoel, Leuven. The bike parkings add a total of 6 352 bicycle parking spaces across the 5 railway stations. Belgium has therefore surpassed the goal of 6 000 bicycle parking spaces.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled

**Number and name of the Target:** 112 - Smart Mobility tools are in operation

**Related Measure:** C32.I-H 'Smart Mobility tools' of Brussels Capital Region

**Quantitative Indicator:** Cameras

**Baseline:** 0

**Target:** 159

**Time:** Q3 2023

**1. Context:**

The investment aims to facilitate the shift to greener modes of transport. It consists of two sub-measures: the entry into operation of a free mobility application named "FLOYA" (I-3.15a) and the extension of the Automatic Number Plate Recognition ("ANPR") camera network of the Brussels-Capital Region by adding 159 cameras (I-3.15b).

Target 112 entails the entry into operation of both the FLOYA application and the 159 ANPR cameras. It is the only milestone of this investment. The investment has a final expected date for implementation on 31 December 2023.

**2. Evidence provided:**

	Name of the evidence.  For legal acts please provide the full legal reference and date of entry into force	Short description
1	List ANPR Cameras Excel	An Excel spreadsheet listing all installed Automatic Number Plate Recognition ("ANPR") cameras and their identification number, location, acceptance date, and unique reference to related AS-Built report.
2	Copy of AS-Built reports	Reports issued and signed by third party (Equans) certifying that the ANPR cameras are in operation, dating from March 2020 to September 2024.
3	Report Floya, dated 25 November 2024	Report detailing the MaaS Floya application features and data on monthly users signed by contractor (TRAFI) and contracting authority (STIB/MIVB).

4	Facture Floya ATOS Mobility Service Provider Integration and Tests, dated 22 May 2022	Invoice from contractor ATOS for the integration of 10 mobility service providers and execution of tests.
5	Facture Floya EVIDEN (ATOS) Transactions Costs, dated 28 June 2024	Invoice from contractor EVIDEN for transaction costs.
6	Facture Floya EVIDEN (ATOS) Plateforme Usage, dated 29 April 2024	Invoice from contractor EVIDEN for platform usage costs.
7	Export Factures-Paiements Eviden 2022-2024, extracted on 5 December 2024	Extract of official SAP report from STIB/MIVB certifying payment of all invoices to EVIDEN for the use of Floya.
8	Website of Floya application: <a href="https://floya.com/">https://floya.com/</a>	Website with download links for the Floya application

### 3. Analysis:

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

#### **159 ANPR cameras are installed and in operation.**

The Belgian authorities provided a list of Automatic Number Plate Recognition (“ANPR”) cameras installed and in operation, including their identification number, location and acceptance date (“List ANPR Cameras Excel”). In addition, the Belgian authorities provided AS-Built reports (“AS-Built reports”) signed by the subcontractor for the installation of the cameras, Equans, demonstrating that 151 ANPR cameras are installed and in operation.

The Council Implementing Decision requires a total of 159 ANPR Cameras. Belgium has installed and put into operation 151 ANPR Cameras. Whilst this constitutes a minimal numerical deviation of 5% from the requirement of the Council Implementing Decision, the overall objective of this target is considered met notwithstanding this minor deviation. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

#### **In addition, FLOYA application is in operation.**

The website of Floya allows for the download of the application through the App Store or Google Play. The Commission services accessed the link provided by the authorities on December 13 2024 to verify

whether the Floya application can be downloaded and is operational. This check was completed successfully, confirming that the Floya application is in operation.

In addition, to show that the Floya app is operational the Belgian authorities provided invoices dating from 22 May 2022 to 28 June 2024 from the contractors for the Floya application, ATOS and TRAFI, for the delivery of the Mobility as a Service (“MaaS”) Floya services. This includes: (i) an invoice from ATOS for the integration of 10 mobility service providers and execution of tests for the application (“Facture Floya ATOS Mobility Service Provider Integration and Tests”); (ii) an invoice from EVIDEN for transaction costs, namely licences paid by STIB/MIVB for each “monthly active user” who connects to Floya (“Facture Floya EVIDEN (ATOS) Transactions Costs”); (iii) and an invoice from EVIDEN for platform usage costs, paid by STIB/MIVB to access the technology and use Floya (“Facture Floya EVIDEN (ATOS) Plateforme Usage”). The Belgian authorities also provided an extract of the official SAP report from STIB/MIVB certifying payment of all invoices to EVIDEN for the use of Floya (“Export Factures-Paiements Eviden 2022-2024” extracted on 5 December 2024).

Finally, the Belgian authorities provided a report (“Report Floya”) signed by the contractor for the application, TRAFI, and the contracting authority, STIB/MIVB, showing delivery of the application as well as data on downloads (6K in March, 10K in April, 16K in September, 7K in October) and monthly active users (21K in March, 29K in April, 43K in September, 38K in October) in 2024. The above evidence shows that Floya application is delivered and in operation.

**Furthermore, in line with the description of the measure, the application provides users with complete and accurate information on available modes of transport, including their respective cost.**

The report (“Report Floya” dated 25 November 2024), signed by the contractor and the contracting authority, gives an overview of the main features of the application. For public transport providers STIB/MIVB, SNCB/NMBS, De Lijn and TEC, information is given on nearest stations, stops and lines, as well as departure times (real time upcoming departures, timetables and information on disruptions) and price of a ticket for the respective providers. In addition, prices for the use of providers Dott (electric scooters and bikes), Poppy (car-sharing) and Taxi Vert (taxi service) are shown.

This information is also present on the website of Floya. The Commission services accessed the link provided by the authorities on December 13 2024 to verify whether the application provides users with complete and information on available modes of transport in Brussels, including their respective cost. This check was completed successfully, confirming that the application provides users with complete and accurate information on available modes of transport, including their respective cost.

**4. Commission Preliminary Assessment:** Satisfactorily fulfilled

**Number and name of the Milestone:** 117 -Award of concessions for charging infrastructure

**Related Measure:** I-3.19 - Charging stations – VLA

**Qualitative Indicator:** Written notification of contract awards to successful candidates

**Time:** Q2 2022

**1. Context:**

The measure aims to expand the electric vehicles' charging network in Flanders by installing 27 000 public and semi-public charging points across the region. This includes a plan to optimise the deployment of the charging points, which are 24 hours accessible and to support the development of storage facilities in areas far away from charging areas on motorways.

Milestone 117 foresees the framework for the roll out of public charging infrastructure through concessions awarded by the Flemish government. The roll out is left to private operators.

Milestone 117 is the first step of the implementation of the investment and it will be followed by target 121, target 122 and target 123, which set numerical objectives to attain the deployment of charging points. This investment is linked to reform R-3.06 and corresponding milestone 116, which concern the adoption of the policy and legal frameworks for the deployment of charging infrastructure in the Flemish Region. The investment has a final expected date for implementation in the second quarter of 2026.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
2	Notice of a Call for public service concessions for providing, installing, maintaining and operating publicly accessible normal Charging Infrastructure for Electric Vehicles in Flemish Cities and Municipalities ( <i>Oproep voor een Concessie van openbare dienst met als voorwerp het leveren, installeren, onderhouden en exploiteren van publiek toegankelijke normale Laadinfrastructuur voor Elektrische Voertuigen in Vlaamse Steden en gemeenten</i> ), published on 12 April 2022 (hereafter Notice of a Call)	Copy of the publication on the EU tender platform of the Notice of a Call for concessions awarded by the Flemish government for the roll out of public charging infrastructure, including information on the size and geographical scope of the concessions and technical specifications.

3	Reasoned award decision, ( <i>Gemotiveerde gunningsbeslissing</i> ), adopted on 21 July 2022 (hereafter Award Decision)	Copy of the decision of the Flemish government on the award of concessions for the roll out of public charging infrastructure.
4	Communication to the Flemish Government from the Ministry for Mobility and Public works on the approach of the roll-out of charging infrastructure in the period 2021-2025 ( <i>Mededeling aan de Vlaamse regering betreft: conceptnota: "Aanpak uitrol laadinfrastructuur 2021-2025"</i> ), of 20 November 2020 (hereafter Communication to the Flemish Government)	Communication by the Flemish Department of Mobility and Public Works to the Flemish government laying out the plans for the roll out of charging infrastructure between 2021 and 2025.
5	Vision paper "Clean power for transport policy for 2021-2030" of the Flemish Government ( <i>Actieplan "Clean Power for transport"</i> ) of 9 July 2021 (hereafter Vision Paper)	Vision paper which aims to reduce emissions from road transports and proposes several strategies, in particular a strategy to integrate the charging infrastructure with the electricity supply

### 3. Analysis:

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

**Award of concessions for charging infrastructure. The framework for the roll out of public charging infrastructure is ensured through concessions awarded by the Flemish government [...]**

On 12 April 2022, the Flemish government published a call for public service concessions regarding the roll out of public charging infrastructure (Notice of a Call). The call notice establishes i) the subject matter of the concession, which is the public service to deliver, install, maintain and operate publicly accessible charging infrastructure for electric vehicles in Flemish (section II.1). The call notice also recalls the deployment strategy (section II.2), and the main rules and processes to be followed during the concession (sections II.3-II.6).

On 21 July 2022, the Flemish government awarded the concessions through a reasoned award decision (Award Decision). With these awards, the Flemish government ensure the framework for the roll out of the public charging infrastructure.

**[...] while the roll out is left out to private operators.**

Two private companies, Electrabel NV and TotalEnergies Marketing Belgium NV, were awarded with the public service concessions for delivering, installing, maintaining and operating public charging infrastructure (Award Decision). In particular:

- Lot 1 (*VVR Limburg*), Lot 3 (*VVR's Antwerpen, Mechelen en Kempen*) and Lot 4 (*VVR's Gent, Vlaamse Ardennen, Waasland en Aalst*) were awarded to Electrabel NV.

- Lot 2 (*VVR's Leuven en Vlaamse Randen*) and Lot 5 (*VVR's Oostende, Westhoek, Brugge, Midwest en Kortrijk*) were awarded to TotalEnergies Marketing Belgium NV.

In light of the above, private operators are responsible for the development and operation of the public charging infrastructure.

Furthermore, in line with the description of the measure, **the Flemish Region shall develop plans to optimise the deployment of charging points that are accessible 24 hours and support the development of storage facilities in areas far away from charging areas in motorways.**

The Notice of the Call refers to the main policy and action plans adopted by the Flemish Government for the development of its charging infrastructure framework (Notice of a Call). In particular, the Notice of the Call mentions the Communication to the Flemish Government from the Ministry for Mobility and Public works of 20 November 2020 on the roll-out of charging infrastructure for 2021-2025 (Communication to the Flemish Government). This Communication sets out the main objectives and actions, including the deployment of charging points accessible 24 hours spread out well along motorways.

The Notice of the Call also mentions the Vision paper adopted by the Flemish Government on 9 July 2021 "Clean power for transport policy for 2021-2030", which recommends amongst others, a well-spread charging station infrastructure throughout Flanders, to relieve electrical vehicle users from so-called 'range anxiety'(Vision Paper). This consists of installing charging stations not only in the motorways but also at strategic locations where many electric vehicle users come and park (or store) their car for a certain period of time (in addition to quick chargers at important hubs and along major main roads).

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 118 - Adoption of a decree specifying the security standards and of an infrastructure delivery plan

**Related Measure:** R-3.05 - Charging stations – Brussels-Capital Region

**Qualitative Indicator:** Adoption of a decree specifying the security standards and of an infrastructure delivery plan

**Time:** Q1 2023

**1. Context:**

Reform R-3.05 consists in the development of the charging stations network in Brussels Capital Region. It includes a revision of the policy and legal frameworks, the award of concessions and the actual deployment of charging points for electrical vehicles.

Milestone 118 consists in the adoption of the policy and legal framework to facilitate the installation of electrical vehicles charging points in Brussels-Capital Region.

Milestone 118 is the first step of the implementation of the reform R-3.05 and it will be followed by targets 121, 122 and 123 related to deployment of charging stations. The reform has a final expected date for implementation in August 2026.

**2. Evidence provided:**

	Name of the evidence	Short description
1	Cover Note	Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled
2	Decree (C-2022/33754) of 29 September ( <i>Arrêt du Gouvernement [C – 2022/33754] de 29 Septembre</i> ), which entered into force on 29 September 2022	This Decree establishes the security standards for installing off-street charging points in the Brussels-Capital Region
3	Notification of 9 December of the Council of Ministers of Brussels Capital Region Meeting of 1 December 2021	This document notifies the Decision of the Council of Ministers to adopt the delivery plan for the deployment of charging stations in Brussels Capital Region.
4	Note to Government Members of Brussels Capital Region by the Minister of Climate Transition, Environment and Participative Democracy	This note proposed the adoption of the delivery plan and included the plan as its annex
5	Annex of Note to Government Members of Brussels Capital Region by the Minister of Climate Transition, Environment and Participative Democracy	This Annex includes the infrastructure delivery plan.
6	Ordinance of 13 October 2022 on electromobility (Ordonnance portant sur l'électromobilité)	This Ordinance establishes how the map of distribution of charging points shall be elaborated.

10	Geographical distribution map	Mapping of the of new charging points according to the needs.
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### 3. Analysis:

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

#### **Adoption of a decree specifying the security standards to be followed for installing off-street charging points in the Brussels-Capital Region, including a minimum ratio to be installed in each parking by 31 December 2025 at the latest**

On 29 September 2022 the Government of the Brussels-Capital region adopted a Decree (*Arrêté du Gouvernement [C – 2022/33754] de 29 septembre*) which establishes the security standards to reduce the risks linked with charging infrastructure of electrical vehicles in car parks. Article 6 of the Decree establishes security standards common to all kinds of car parks; Article 7 sets out specific security standards for covered car parks and Article 8 specifies security standards for covered car parks with a surface area of at least 1 250 m<sup>2</sup> or with floors below the ground.

The Decree of 29 September 2022 also establishes the minimum ratio of charging points to be installed in different car parks. The ratios which correspond to a minimum percentage of charging points in relation to the number of parking spaces are authorised according to the environmental permit. The ratios increase gradually (Article 3). For car parks linked to office buildings the ratio is 10% on 1 January 2025, 20% on 1 January 2030 and 30% on 1 January 2035 (Article 3(1)). For other non-residential buildings the ratio is 5% on 1 January 2025, 10% on 1 January 2030 and 20% on 1 January 2035 (Article 3(3)). For residential buildings the minimum ratio is built differently. On 1 January 2025 there should be one charging point for each electrical vehicle with a parking space (Article 3(2)).

The Council implementing Decision requires that a minimum ratio should be set for 31 December 2025, at the latest. The Decree does this as it establishes three ratios to be met by 1 January 2025 depending on the building category: (i) For car parks linked to office buildings the ratio is 10% on 1 January 2025, (ii) For other non-residential buildings the ratio is 5% on 1 January 2025, (iii) For residential buildings, on 1 January 2025 there should be one charging point for each electrical vehicle with a parking space.

Furthermore, in line with the measure description **the decree specifying the security standards to be followed for installing off-street charging points in the Brussels-Capital Region shall be adopted by 1 March 2022 at the latest and enter into force by 31 July 2022**

The Decree specifying the security standards was adopted on 29 September 2022 and published in the official journal on 3 November 2022. According to article 39 of especial Law of 12 January 1989 regarding the Brussels' institutions (*Loi spéciale du 12 janvier 1989 relative aux Institutions bruxelloises*), the Decree of 29 September entered into force 10 days after its publication, on 13 November 2022.

The Council Implementing Decision required the adoption of the decree specifying the security standards by 1 March 2022. Belgium adopted it on 29 September 2022. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay between the adoption of this law and the actual application of the provisions is considered both limited and proportional, notably those provisions were already in force by the time of the assessment of this milestone. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

### **And adoption of an infrastructure delivery plan**

On 1 December 2022 the Government of the Brussels Capital Region, adopted via a Decision of the Council of Ministers, the infrastructure delivery plan for the deployment of charging stations (Notification of the Decision of 9 December 2022). This Decision was based on a Note to Government Members by the Minister of Climate Transition, Environment and Participative Democracy, which included, as an annex, the infrastructure delivery plan.

#### **that shall include: a geographical distribution of public charging points to be installed in Brussels, that shall subsequently be updated**

The delivery of the infrastructure is based on a regional mapping of needs developed by Brussels Environment Section 4.4.2.3 of the Delivery Plan). This map identifies the locations where the public charging points are installed (Section 5.1.1 of the Delivery Plan).

Brussels Capital Region has created a separate procedure to create and update the map, which is regulated by Ordinance on electro-mobility, of 13 October 2022, published in the official journal (*Moniteur Belge*) on 20 October 2022. According to article 10 of Ordinance, Brussels Environment and Brussels Mobility have the mission, in consultation with the municipalities and the distribution network operator (Sibelga), to establish a regional map of charging points open to the public on roads. According to Article 10 of the Ordinance, the regional map is to be presented and adopted by the Government and updated regularly for approval. Article 10 sets the parameters that the map of public charging points should follow. However, according to Article 10(2) this regional map does not affect the possibility of installing public charging points in places not identified by it, giving the necessary flexibility to respond to the charging needs of the region. According to Article 17 of the Ordinance, it entered into effect one day after its publication in the official journal, on 21 October 2022.

#### **(that shall include) a target of public charging points to be installed over the period 2022-2024**

The plan contains targets for public charging points for the period 2022-2025: 2486 standard and 23 fast in 2022; 4 629 standard and 53 fast in 2023; 6 768 standard and 94 fast in 2024; 9434 standard and 180 fast in 2025 (figure 8 in section 3.2 of the delivery plan).

#### **(that shall include) an installation plan for fast chargers in the city**

The plan also contains a strategy to install fast chargers in Brussels. It explains the main criteria to select the location to install fast chargers (section 4.6 of the delivery plan). In addition, as mentioned above, the plan sets targets for fast chargers. The strategy and the targets, form an installation plan for fast chargers in the city.

#### **(that shall include) an installation plan for off street charging infrastructure, discussed with all relevant stakeholders (such as public parking lots, retail sector, housing sector, office building sector).**

The plan also includes a section on the installation of semi-public chargers, i.e. chargers located in private property (therefore off-street) and accessible to the general public. The strategy requires the creation of a guidance with the involvement of the private parties, the creation of facilitating tools to support and encourage private owners and of car park, such as helpdesk and formation sessions (section 4.5 of the delivery plan). In addition, the Plan refers to the consultations held with private parties (owners of business, car parks, service stations, logistic services). Several workshops were held with these and other stakeholders (public transport service operators, energy operator). A summary of their views can be found in Annex 3 of the Plan. In addition, the Plan proposes measures taking their views into account (Section 5 of the delivery plan).

**This plan shall be in line with the Alternative Fuels Infrastructure Directive,**

The plan is in line with the Alternative Fuels Infrastructure Directive ('AFID') since it provides a strategy to develop the network of charging points enabling the various motor vehicle fleets to make the transition to electric vehicles. The plan presents the current state of mobility and recharging infrastructure (Chapter 2); assesses the charging needs and translates them into targets (Chapter 3); sets a deployment strategy for public, semi-public, and fast-charging infrastructure (Chapter 4); and establishes several actions (Chapter 5). In particular, the plan follows AFID when it sets targets taking into account the evolution of the electrical vehicles fleet (article 4(1) of AFID) and when it considers not only public but also semi-public charging stations (article 4(3) of AFID).

Furthermore, in line with the description of the measure, **the reform consists in the award of concessions for charging infrastructure in the Brussels-Capital Region.**

On 1 June 2022, Brussels-Capital Region's distribution network operator, Sibelga, concluded with the charging point operator, Energy Drive, a concession contract to deliver, install and operate charging points. This contract has retroactive effects as it entered into force on 2 February 2022 and it has a duration of 10 years (section 10.1 of the contract).

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled

**Number and name of the Milestone:** 119 - Adoption of a plan to deploy electric charging stations

**Related Measure:** R-3.04 - 'Charging stations - WAL' of the Walloon Region

**Qualitative Indicator:** Adoption of a plan to deploy electric charging stations

**Time:** Q3 2023

### 1. Context:

Reform R-3.04 consists in the development of the charging stations network in Walloon Region. It includes a revision of the policy and legal frameworks, the award of concessions and the actual deployment of charging points for electrical vehicles.

Milestone 119 is about the adoption of a plan to deploy electric charging stations.

Milestone 119 is the first step of the implementation of the reform 3.04 and it will be followed by targets 121, 122 and 123 related to deployment of charging stations. The reform has a final expected date for implementation in August 2026.

### 2. Evidence provided:

	Name of the evidence	Short description
1	Cover Note	Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled
2	BE-C[33]-[R-304]-M[119]1. Amending Note to the Walloon Government (Note rectificative au Gouvernement Wallon).	Plan for the deployment of charging stations in Wallonia
3	BE-C[33]-[R-304]-M[119]2. Notification of the council of ministers meeting of 24 November 2024 (Notification au Gouvernement Wallon)	Notification of the approval of the Plan to deploy charging stations
4	Decree of 5 May 2022 (Décret 5 Mai) adopted by the Walloon Parliament and confirmed by the Wallon Government (published in the <i>Official journal</i> ), which entered into force on 15 October 2022	This Decree amends amongst others the regime of the regional electricity market.

### 3. Analysis:

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

**Adoption of a plan for the deployment of charging stations,**

On 24 November 2022, the council of minister of Wallonia adopted a plan for the deployment of charging stations (Notification of the meeting of 24 November 2022)

**which shall include : - The number of charging points to be installed by 31 August 2026 –**

The plan provides as indicative target of 7000 charging points (4000 public charging points -page 10; 2000 semi-public charging points -page 12 and 1000 fast charging points – page 13) to be installed by 2026. According to the deployment plan, out of these 7000 charging points, 5400 charging points are set to be installed under the RRF and therefore within the completion deadline of the RRF, 31 August 2026 (page 6).

**(The plan shall include) the procedures to deploy the infrastructure –**

The plan establishes different procedures according to the type of charging point: standard public charging points; semi-public charging points; and fast public charging points (Part 3 of the plan). According to the Plan, the deployment of the standard public charging points is based on a mapping, municipalities should agree with the network operator the locations (within the map) for which they will launch award concessions; the plan also provides the main rules regarding support to finance these concessions (Part 3, Section A of the plan). Similarly, the plan provides a map for the fast-charging points, the company responsible for the management of public roads, SOFICO, will be in charge of launching the respective concessions, and the plan provides also the main rules regarding support to finance these concessions (Part 3, Section C of the plan).

**(The plan shall include) the necessary basis to launch the calls for tender**

The plan provides the necessary basis to launch the calls for tender regarding the concessions of public charging points, establishing that each call for tender should cover a minimum of 40 charging points (Part 3, section A of the Plan) and additionally specifying some of the items that the concessions and call should cover, including standard specification (Part 3, section A and Part 4 of the Plan). The plan also provides a map for the deployment of the new public charging stations (Part 3, section A of the Plan).

**(The plan shall include) the target for the number of public charging points equivalent (CPE) to be installed till 2026, which shall take into account the indicative target of one CPE for ten electric vehicles**

As mentioned above the plan sets a target of 7000 charging points to be installed by 2026. This target includes public and semi-public charging points. It was calculated taking into account the indicative criteria referred to in Directive No. 2014/94/EU, recital 23: the appropriate average number of recharging points should correspond to at least one recharging point per 10 cars, also taking into account the type of cars, charging technologies and available private recharging points (page 2). According to the plan, Walloon region had 10 353 electric vehicles in July 2022 (page 2) and the number of electric vehicles was expected to grow 60% a year (page 4), reaching 67849 electric vehicles in 2026. The target of 7000 charging points equivalent set for 2026 is therefore in line with the indicative target of one CPE per ten electric vehicles.

The Council implementing decision states that the number of public charging points equivalent (CPE) to be installed by 2026 takes into account the indicative target of 1 CEP per 10 electric vehicles. The target set by the infrastructure deployment plan includes public charging points and semi-public charging points. The latter are CEP installed in private property (supermarkets, shopping malls, private car parking's),

which are accessible to the public. They have therefore the same function as the public CEP; the only difference is in the ownership of the land where they are installed. The Council Implementing Decision states in Target 123 that the charging points to be installed are private, semi-public and public charging points. Furthermore, the Recovery and Resilience Plan submitted by Belgium in 2021 establishes that this reform concerns charging points accessible to the public, including both public and semi-public charging points (page 334). On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled. Furthermore, in line with the measure description, **this reform consists in adopting a legislative framework**

On 5 May 2022, the Walloon authorities adopted Decree of 5 May 2022 (*«Décret modifiant diverses dispositions en matière d'énergie dans le cadre de la transposition partielle des directives 2019/944/UE du 5 juin 2019 concernant des règles communes pour le marché intérieur de l'électricité et 2018/2001/UE du 11 décembre 2018 relative à la promotion de l'utilisation de l'énergie produite à partir de sources renouvelables et en vue d'adapter les principes relatifs à la méthodologie tarifaire »*), which amongst others amends the Decree of 12 April 2001 on the regional electricity market.

In particular, the Decree of 5 May 2022 establishes that the Walloon Government is responsible for the deployment of the public charging points (article 35octodecies of Decree of 12 April 2001, as amended by article 68 of the Decree of 5 May 2022). It also establishes the main rules for cooperation between the Walloon Government and the electricity distribution network operators (article 35novodecies of Decree of 12 April 2001, as amended by article 67 of the Decree of 5 May 2022).

The Decree of 5 May 2022 was published in the Federal Official Journal on 5 October 2022 entered into force 10 days after its publication in the official journal, on 15 October 2022 (article 56 of the Special Law of 8 August 1980).

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled

**Number and name of the Target:** 131 - Equipping schools/institutions with adequate ICT devices and infrastructure to improve the overall performance of education system

**Related Measure:** I-4 - Provision of digital equipment and IT infrastructure to schools

**Quantitative Indicator:** Number of schools/Institutions receiving funds to update their ICT infrastructure or equipment

**Baseline:** 0

**Target:** 3 828

**Time:** Q4 2022

**1. Context:**

Target 131 is part of investment I-4, which aims at ensuring the provision of digital equipment and IT infrastructure to schools in the three language Communities. Target 131 concerns the Flemish Community and the German-speaking Community.

Target 131 requires the provision of funds to 3 828 schools and/or educational institutions in Belgium to upgrade ICT infrastructure. This includes i) 3 785 schools in the Flemish Community and ii) 43 schools in the German-speaking Community.

Target 131 is the first step of the implementation of investment I-4 on the provision of digital equipment and IT infrastructure to schools. It will be followed by target 133, related to an increased number of schools and/or educational institutions having received funds to upgrade their ICT infrastructure. The investment has a final expected date for implementation on 30 June 2026.

**2. Evidence provided:**

*Flemish Community*

	Name of the evidence	Short description
1	Cover note	Summary document duly justifying how the target was satisfactorily fulfilled with respect to actions falling within the remit of the Flemish Community. Dated 19 June 2024.
2	Bijlage 1a: BVR_20210430_Digisprong	Decision of the Flemish Government adopted on 30 April 2021 laying down the rules for the allocation of additional ICT funds 2021 under the Digisprong for ordinary and extraordinary kindergarten, primary and secondary education and the higher vocational nursing training
3	Bijlage 1b: BVR_20220715_Digisprong	Decision of the Flemish Government adopted on 15 July 2022 laying down the rules for the allocation of additional ICT funds 2022 under the Digisprong for ordinary and special secondary education and the higher vocational nursing training
4	Bijlage 3: 20240522_Digisprong_Basis_	Spreadsheet listing the beneficiary schools, including the number of students, the amount allocated to each school, and

	secundair_bedragen_leerling enaantallen_schoolbesturen	the responsible school board receiving funds to upgrade the ICT infrastructure of schools for which it is in charge
5	Bijlage 4: overzicht_boekingsstuknum mers_1	Payment files related to the first round of payments, showing the amounts paid and the date of payment
6	Bijlage 5: overzicht_boekingsstuknum mers_2	Payment files for six schools where the payment was done manually, with the screenshots of the payment carried out via Orafin (payment system of the Flemish government) showing the amount paid, the date of payment and the name of the schools
7	Bijlage 6: 20240502_ING_schijf_1	Payment files related to the first round of payments, showing the amounts paid and the number of transactions contained therein, and the breakdown of the payment files into the different transactions
8	Bijlage 7: 20240522_schijf2_secundair _betaalbestanden_met_deta ils	Payment files related to the second round of payments, showing the amounts paid and the number of transactions contained therein, and the breakdown of the payment files into the different transactions
9	Bijlage 8: betalng_digisprong_instellin g_29827_extra	Payment file of a school that received money for additional students, with the screenshots of the payment carried out via Orafin (payment system of the Flemish government) showing the amount paid, the date of payment and the name of the schools
10	Appendix 1: Registered schools - Lot 1	Extract from the platform through which schools registered for the bootcamps
11	Appendix 3: Presentation training format - Lot 1	Programme of the ICT-bootcamp to professionalise school teams and teachers to promote digital transition in education
12	Appendix 5: Learning tools – Lot 1	Screenshots of the website for schools with the learning tools proposed in relation to the acquired digital skills

### *German-speaking Community*

	Name of the evidence	Short description
1	Cover note	Summary document duly justifying how the target was satisfactorily fulfilled with respect to actions falling within the remit of the German-speaking Community. Dated 25 September 2024.
2	Annex 1: List of schools – laptops delivered to teachers	List of all beneficiary schools and the number of laptops delivered to teachers per school (until 31 December 2023). Dated: 25 September 2024.
3	Annex 2b: Screenshots teacher laptop orders	Screenshots from the online ordering platform for teacher laptops, containing information on the date of all teacher laptop orders received before the end of 2023, the order number the delivery

		date, the school of delivery and the serial number of the laptop. Dated: 18 December 2024.
4	Annex 8: Leasing invoices teachers	Invoices dated from 30 June 2022 to 6 December 2023 for the leasing of teacher laptops addressed by Signpost to the German Community
5	Annex 10: Selected offer for the equipment of teachers and students	Offer of 27 August 2021 from the selected service provider to the German-speaking Community regarding the award of a mixed public supply and service contract for the digital equipment of teachers and students
6	Annex 11: Government decision of the German-speaking Community	Government decision of 28 October 2021 to award a mixed public supply and service contract for the digital equipment of teachers and students
7	Annex 13: Call for tender IT equipment	Call for tender with reference FbIT.SeL/03.03-00.05/21.12, for the IT equipment of school users in the German-speaking Community

### 3. Analysis:

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

#### *Flemish Community*

#### **3 828 schools and/or educational institutions in Belgium have received funds to upgrade ICT infrastructure, including: Flemish Community (I-4.01): 3 785 compulsory education schools**

The Decision of the Flemish Government of 30 April 2021 lays down the rules for the allocation of additional ICT funds under the 'Digisprong' programme to ordinary and extraordinary pre-primary, primary and secondary education and to higher vocational nursing training in 2021 (first round). It allocates a total amount of EUR 229 644 255 of additional ICT funds to school boards based on the official student number of the schools for which each school board is responsible (evidence no. 2). The Decision of the Flemish Government of 15 July 2022 lays down the rules for the allocation of additional ICT funds under the 'Digisprong' programme to ordinary and extraordinary secondary education and to higher vocational nursing training in 2022 (second round). It allocates additional ICT funds for a total amount of EUR 112 628 383 to school boards based on the official student number of the schools for which each school board is responsible (evidence no. 3). In total, an amount of EUR 342 272 638 is allocated under the 'Digisprong' programme.

The spreadsheet provided by the Flemish Community (evidence no. 4) lists all beneficiary schools, including the name of the school, the responsible school board, the number of students per school, and the amount allocated to each school. The school board is the legal entity in charge of managing one or more schools. According to the list, 832 school boards have received funds between 30 April 2021 and 30 April 2024 to upgrade ICT infrastructure for 3 758 compulsory education schools, including 2 693 primary schools (tab 'basis BAO\_BUBAO') and 1 065 secondary schools (tab 'SO\_BUSO\_schijf 1 en 2\_instnr').

The Council Implementing Decision required 3 785 compulsory education schools to receive funds to upgrade ICT infrastructure. According to the list of beneficiary schools, only 3 758 schools received funds to upgrade ICT infrastructure. Whilst this constitutes a minimal numerical deviation of 0.01% from the requirement of the Council Implementing Decision, the overall objective of this target is considered met

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

The target is further specified in the Operational Arrangements, which require **For the Flemish Community: The funds are calculated for each school separately, but it is the school board (legal entity) to which the school belongs that receives the funds for the school. “Receiving funds” is to be understood as: For the Flemish Community: funds having been received by the school boards to purchase ICT infrastructure/equipment for the schools.**

Following the selection of a random sample of 60 units (school boards), the authorities provided the bank transfer for each sampled unit (evidence no. 5-9), proving that funds have been received by the Flemish school boards between 20 May 2021 and 9 June 2021 to purchase ICT infrastructure. The evidence shows for each school board that the amount transferred to the school board according to the proof of payment (evidence no. 5-9) matches the amount noted in the spreadsheet of beneficiary schools (evidence no. 4). Moreover, to verify that the number of schools belonging to each school board is correct, the information in the spreadsheet of beneficiary schools is compared with the information on the official website of the Flemish Ministry of education (<https://data-onderwijs.vlaanderen.be/onderwijsaanbod>). The schools under the responsibility of each school board in the spreadsheet of beneficiary schools submitted by Belgium (evidence no. 4) correspond with the schools mentioned on the official website of the Flemish Ministry of education (<https://data-onderwijs.vlaanderen.be/onderwijsaanbod>).

**Furthermore, in line with the description of the measure, the investment shall provide teachers with effective learning tools and training to improve their digital skills.**

The Belgian authorities provided the programme of the ICT-bootcamp (evidence no. 11), as well as an extract from the platform through which schools registered their school team and teachers for the bootcamps (evidence no. 10). This shows that intensive ICT-bootcamps were set up to professionalise school teams and teachers in order to promote digital transition in education. The ICT-bootcamp programme shows that ICT-bootcamps consist of a ‘digital journey’, during which the teacher follows a coherent training route tailored to the teacher's ICT level. The time investment per participant is 15 hours, spread over four months (evidence no. 11, p.16). Moreover, the Belgian authorities provided screenshots of the website offered by the government that can be used by schools to offer training opportunities to their teachers. The website provides access to the learning tools (e-module, learning materials, presentations of the school-specific workshops, etc.) proposed in relation to the acquired digital skills (evidence no. 12).

#### *German-speaking Community*

**3 828 schools and/or educational institutions in Belgium have received funds to upgrade ICT infrastructure, including: [...] and German-speaking Community (I-4.06): 43 compulsory education schools.**

The target is further specified in the Operational Arrangements, which require **“Receiving funds” is to be understood as: For the German-speaking Community: the purchase or leasing of laptops by the Community for the schools”.**

In line with the further specifications in the Operational Arrangements, it is the German-speaking Community which purchases laptops for the schools, rather than schools receiving funds to upgrade ICT infrastructure. On 28 October 2021, the government of the German-speaking Community awarded a mixed public supply and service contract for the IT equipment of school users in the German-speaking Community (evidence no. 6). Article 1 of this government decision states that this supply and service

contract will be awarded to the tenderer 'Signpost' on the basis of the specifications and the tender submitted on 27 August 2021 (evidence no. 5).

The Belgian authorities provided the invoices for the leasing of teacher laptops (evidence no. 4). The invoices for the leasing of laptops are addressed to the German Community, which shows that it is the German Community who is in charge of the leasing of laptops, in line with the requirements. The invoices group the laptops based on the date on which the leasing service started and mention the monthly payments for each group of laptops.

The Belgian authorities provided a spreadsheet listing 45 beneficiary schools in the German-speaking Community, including for each school the number of laptops that were delivered to teachers related to that school (evidence no. 2). As the equipment of teachers took place on a voluntary basis, teachers were invited to order a laptop through a dedicated online ordering platform, which was made available by the service provider (<https://ostbelgien.signpost.eu/>). The Belgian authorities provided screenshots from that online platform, showing all laptop orders which teachers introduced before the end of 2023 (evidence no. 3). The screenshots include the order number, the order date, the status of the order, the delivery date, the school of delivery and the serial number of the laptop. The Commission services took as starting point the delivery date of the laptops indicated in the invoices with code "M1" and cross-checked these dates with the dates of the laptops ordered by teachers through the online platform. This allowed the Commission services to conclude that the laptops ordered by teachers through the online platform correspond with those laptops listed in the invoices. The analysis of the extract of the online platform shows that at least one laptop has been leased for 45 unique schools in the German-speaking Community in line with the requirements.

43 schools which benefit from laptops by the German-speaking Community are compulsory education schools, i.e. primary and secondary schools, as evidenced by the online platform and the website of the German-speaking Community ([https://ostbelgienbildung.be/desktopdefault.aspx/tabid-2195/4516\\_read-32080/](https://ostbelgienbildung.be/desktopdefault.aspx/tabid-2195/4516_read-32080/)).

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Target:** 136 - Deployment of a reinforced support mechanism for students in need

**Related Measure:** I-403 - Personalised guidance in compulsory education

**Quantitative Indicator:** Schools (and CPMS) benefiting from support and coaching

**Baseline:** 0

**Target:** 531

**Time:** Q4 2022

### 1. Context:

Target 136 is part of investment I-4.03, which aims at responding to the psychosocial, educational and pedagogical problems of pupils in primary and secondary schools and at combatting the spread of the phenomena of educational disadvantage and early school leaving, as a result of COVID-19.

Target 136 requires the French Community to deploy additional resources (such as teachers, educators, psychological support staff) to support 531 schools and psycho-medico-social centres (*Centres psycho-médico-sociaux*, referred to as “CPMS”) based on identified needs.

Target 136 is the second and last target of the investment, and it follows the completion of milestone 135, related to the adoption by the parliament of the French Community of a decree framework that regulates a transitional support mechanism for students in need. All requirements from the description of the measure have been assessed as part of milestone 135. The investment has an expected date for implementation by 31 December 2022.

### 2. Evidence provided:

	Name of the evidence	Short description
1	Cover note	Summary document duly justifying how the milestone was satisfactorily fulfilled, including a reference to the relevant provisions. Dated 31 January 2024
2	Programme-decree of 14 July 2021 ( <i>Décret-programme portant diverses mesures relatives à la lutte contre la crise du coronavirus, au plan de relance européen, à l'Egalité des chances, aux Bâtiments scolaires, à WBE, au Droit des femmes, à l'Enseignement supérieur, à la Recherche scientifique, au Secteur non-marchand, à l'Education et aux Fonds budgétaires</i> )	Programme-decree of 14 July 2021 of the French Community, laying down various measures relating to combating the coronavirus crisis, the European recovery plan, equal opportunities, school buildings, WBE, women's rights, higher education, scientific research, the non-profit sector, education and budgetary funds. Published in the Official Journal on 27 August 2021.
3	List of beneficiary schools and CPMS	Spreadsheet listing all the beneficiary schools/CPMS, the number of pupils and the socio-economic index of each school and CPMS. Dated 19 July 2024

4	List of contract references	Spreadsheet listing the official references of engagement documents signed by schools/CPMS with teachers, educators and psychological support staff. Dated 19 July 2024.
5	Needs assessment form for each selected school/CPMS of the sample	Form, submitted by the schools/CPMS to the French Community, presenting the results of the school/CPMS' qualitative analysis of the impact of the health crisis on pupils attending the school and identifying the school/CPMS needs for additional support.
6	Signed engagement document with staff member for each selected school/CPMS of the sample	Administratively binding document between a school/CPMS and a teacher, educator or psychological support staff, mentioning the number of periods (hours) of additional resources deployed.

### 3. Analysis:

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

**Deployment of additional resources (such as teachers, educators, psychological support staff) to support 531 schools/CPMS based on identified needs.** The government of the French Community adopted the programme-decree of 14 July 2021 (evidence no. 2) to grant enhanced and targeted pedagogical, educational and psycho-social support to pupils in primary and secondary schools in the context of the COVID-19 crisis. The programme-decree of 14 July 2021 defines additional resources as periods (hours) of supporting activities led by additional teaching staff and auxiliary education staff. Article 50(1) and Article 91 of the programme-decree lay down the granting of resources for respectively pupils in primary schools and pupils in secondary schools. Those two provisions also stipulate that periods (hours) are granted to schools on the basis of the school population established on 15 January 2021. The adoption of the decree and the objectives for granting resources to schools was assessed as part of milestone 135, which was satisfactorily fulfilled.

To implement the programme-decree of 14 July 2021 and deploy additional resources based on identified needs, the French Community required schools and CPMS to complete several documents.

To identify students' needs and to determine the number of periods (hours) of additional resources to use (within the limit of periods awarded to schools by the programme-decree of 14 July 2021), schools/CPMS analysed the impact of the health crisis on pupils attending the school and submitted the results of their qualitative analysis via an electronic form to the French Community (evidence no. 5). Only schools/CPMS submitting this form specifying their needs, could receive additional resources within the limits (hours granted to schools) set by the programme-decree of 14 July 2021 (evidence no. 2).

For each additional resource (teacher, educator or psychological support staff) deployed, schools/CPMS completed an administratively binding document to engage staff (evidence no. 6), which mentions the number of periods (hours) of additional resources deployed. To identify and trace the periods (hours) *additionally* deployed in the context of the programme-decree of 14 July 2021, those periods (hours) are marked with "RRF" on the staff engagement document, as explained in the form specifying the

schools/CPMS needs (evidence no. 5). The staff engagement document is signed by the support staff (such as a teacher, educator, psychological support staff) and the school/CPMS' representative.

The Belgian authorities provided a spreadsheet listing all beneficiary schools and CPMS (the "list of schools", evidence no. 3), including the unique school/CPMS identifier (FASE number), the name of the school/CPMS and whether the beneficiary is a school or CPMS.

The Belgian authorities also provided a second list (the "list of documents") with references of staff engagement documents signed by the support staff (such as a teacher, educator, psychological support staff) and the school/CPMS' representative (evidence no. 4). These references consist of the unique school/CPMS identifier (FASE number) and the staff member's unique identification number (staff number).

The references to the FASE number and the staff number in the list of documents therefore allow to check that each of the schools/CPMS has signed at least one staff engagement document with a teacher, educator or psychological support staff. According to the list of documents, resources for pupil support have been deployed in 693 schools/CPMS (507 schools and 186 CPMS), which exceeds the 531 schools/CPMS required by the target.

Following the selection of a random sample of 60 units, the Belgian authorities submitted a copy of at least one staff engagement document to deploy additional resources in the school/CPMS (evidence no. 6), and a needs assessment form for the school/CPMS (evidence no. 5). This evidence demonstrates that additional resources (such as teachers, educators, psychological support staff) were deployed to support schools/CPMS based on identified needs. The evidence provided for a sample of 54 units confirmed that the requirements of the target have been met. The target requirements can be considered met as the evidence confirmed that additional periods (hours) for teachers, educators, psychological support staff were deployed in schools/CPMS based on an assessment of the schools/CPMS needs.

A statistical analysis was carried out taking into account the overachievement of the target of 693 schools/CPMS for a required 531 schools/CPMS. Based on this, there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Target:** 149 - Signature of partnerships to promote digital inclusion

**Related Measure:** I-4.11 - Digibanks

**Quantitative Indicator:** Municipalities

**Baseline:** 0

**Target:** 100

**Time:** Q4 2022

**1. Context:**

Target 149 is part of investment I-4.11, which aims at promoting the social and economic integration of vulnerable groups by fostering their digital inclusion at municipal level. The investment consists of (1) ensuring equal access to digital technology, (2) providing training and knowledge sharing to strengthen digital skills and (3) providing digital access to essential services.

Target 149 requires the signature of a Digibank partnership by 100 municipalities in Flanders with the Department of Work and Social Economy of Flanders aiming at (1) ensuring equal access to digital technology; (2) strengthening digital skills through training and knowledge sharing; (3) procuring digital access to essential services.

Target 149 is the only target of this investment. The investment has a final expected date for implementation on 31 December 2022.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note of 8 March 2023	Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the CID annex) was satisfactorily fulfilled.
2	Spreadsheet-6628c38be3538.xls	Spreadsheet listing all municipalities which have signed a Digibank partnership with the Department of Work and Social Economy of Flanders.
3	Signed Digibank partnership for each of the selected sample of municipalities	Sample required to confirm that 100 municipalities in Flanders have signed a Digibank partnership with the Department of Work and Social Economy of Flanders.
4	List of actions for each of the selected sample of municipalities ( <i>Samenwerkingsstrategie</i> )	List of actions which will be taken as part of the Digibank partnership.

### 3. Analysis:

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

#### **Signature of a Digibank partnership by 100 municipalities in Flanders with the Department of Work and Social Economy of Flanders.**

The provided spreadsheet (evidence no. 2) lists the municipalities which have signed at least one Digibank partnership with the Department of Work and Social Economy of Flanders. According to the spreadsheet, 169 municipalities located in the Flemish Region, have signed such a Digibank partnership.

Based on the list of municipalities provided by the Belgian authorities, the Commission has randomly drawn a sample of 60 units. For each sampled unit, the Belgian authorities provided a copy of the Digibank partnership (evidence no. 3) and the list of actions which will be taken as part of the Digibank partnership (evidence no.4). Given that some municipalities worked together to develop a Digibank project, the list of actions is the same for those municipalities.

The analysis of the provided evidence confirmed that all 60 municipalities have signed a Digibank partnership with the Department of Work and Social Economy of Flanders. Therefore, the sampling exercise was considered successful, and the requirement met.

#### **Digibank partnerships aim at (1) ensuring equal access to digital technology; (2) strengthening digital skills through training and knowledge sharing; (3) procuring digital access to essential services.**

The analysis of the provided Digibank partnership for the 60 randomly sampled municipalities showed that all Digibank partnerships include an article setting out the objectives of Digibanks. This article is identical in all Digibank partnerships (Article 1) and states the following goals: Equal access to digital technology, Training and knowledge sharing to strengthen digital skills, and Support for improved digital access to essential services. These objectives are translated into concrete actions which will be taken as part of the Digibank partnership (evidence no. 4).

Furthermore, in line with the description of the measure, the investment **aims at promoting the social and economic integration of vulnerable groups**. The analysis of the provided Digibank partnership for the 60 randomly sampled municipalities showed that Article 1 of all Digibank partnerships refers to the inclusion of vulnerable groups. Article 1 states that by setting up local Digibanks, the Flemish Government aims to reduce the risk of digital exclusion for vulnerable groups. Moreover, the list of actions that will be taken as part of the Digibank partnership (evidence no.4) mentions the vulnerable groups targeted. These vulnerable groups include low literate adults, people with a low level of education, single women and jobseekers.

### 4. Commission Preliminary Assessment:

Satisfactorily fulfilled.

**Number and name of the Milestone:** 156 – Action Plan based on output of the employment conference

**Related Measure:** R-4.07 - Pension and end of career

**Qualitative Indicator:** Livestreaming (and its recording) of employment conference debates and proposed action plan put on the agenda of the federal Council of Ministers

**Time:** Q2 2022

### 1. Context:

Milestone 156 is part of Reform R-4.07 “End of career and pensions”, which aims at future-proofing the pension system and improving the financial sustainability of the social security system and of public finances as well as increasing the solidarity role of the pension system. This reform is to be done with the involvement of stakeholders through a conference on employment, which is part of the requirement of Milestone 156.

Milestone 156 requires i) the livestreaming (and the recording) of the employment conference, followed by ii) the creation of an action plan for raising the employment rate of employees approaching their ends of career. This action plan should be based on iii) a mapping of existing relevant federal measures by the federal ministry of labour, and iv) the input from social partners, regions and other stakeholders before and during the conference. The action plan must be v) put on the agenda of the Council of Ministers and vi) the objective of the action plan is to be translated into concrete regulatory proposals (legislative or administrative) to be adopted by the federal authorities (if needed the federal parliament).

Milestone 156 is the second step of the implementation of R-4.07. It was preceded by Milestone 157, requiring the submission to the federal government for approval of a proposal for a pension reform, and will be followed by Milestone 158, related to the adoption of the proposal for a pension Reform. The reform has a final expected date for implementation in Q2 2024.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover Note	Summary document duly justifying how the milestone was satisfactorily fulfilled
2	M[156]_EndofCareer_written__dated_and_signed_report	Written report with the conclusions of the Employment conference
3	M[156]_EndofCareer_proposed_action_plan	A copy of the proposed Action plan for raising employment rate of employees approaching their ends of career
4	M[156]_EndofCareer_report_link_actions_reform	Report on how the planned measures in the action plan can contribute to the pension reform objectives based on the guidelines created during the employment conference

5	M[156]_EndofCareer_Mapping_existing_measures	Register of the existing federal measures written by the SPF Employment, Labour and Social Dialogue and the social partners
6	M[156]_EndofCareer_input_Focus_group_sant	PowerPoint presentation with the results of the focus group on the field of well-being at work to preserve the health of older workers and to harmoniously close their careers
7	M[156]_EndofCareer_input_Focus_group_faible_diplom	PowerPoint presentation with the results of the focus group on low skilled labour
8	M[156]_EndofCareer_input_Focus_group_intergenerationnel	PowerPoint presentation with the results of the focus group on intergenerational workings
9	M[156]_EndofCareer_input_Focus_group_conditions_de_travail	PowerPoint presentation with the results of the focus group on working conditions
10	M[156]_EndofCareer_input_Focus_group_gender	PowerPoint presentation with the results of the focus group on gender
11	M[156]_EndofCareer_input_CSE	PowerPoint presentation by the Belgian High Council of Employment
12	M[156]_EndofCareer_input_Minerva	PowerPoint presentation by the Think Tank Minerva on the elements for a fair policy on the harmonious end of careers
13	M[156]_EndofCareer_input_Co_Prev	PowerPoint presentation by Co-Prev, the association of Belgian external prevention services
14	M[156]_EndofCareer_notification_CMR_17_02_2023	Notification of the Council of Minister meeting of 17. February 2023, approving the action plan
15	M[156]_EndofCareer_accompanying_note_CMR_17_02_2023_confidential	Accompanying Note to the Council of Ministers meeting of 17. February 2023

### 3. Analysis:

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

#### **Livestreaming (and its recording) of the Employment conference debates by the administration (SPF ETCS)**

The conference, which took place on 7 and 8 September 2021 was livestreamed, with the links to the different livestreaming options (Clevercast, YouTube and Facebook) being provided on the SPF Employment, Labour and Social Dialogue (SPF ETCS) website: <https://emploi.belgique.be/fr/actualites/conference-sur-lemploi-les-7-et-8-septembre>. Furthermore, the recordings of the different parts of the conference (such as the round table with the different regional ministers, the debates with the social partners, and the conclusions of the different focus groups) are publicly available at: <https://evenements.emploi.belgique.be/fr/evenements-du-spf/conference-sur->

[lemploi-les-7-et-8-septembre](#). A report dated 3 March 2023 was drafted by the SPF Employment, Labour and Social Dialogue with the conclusions of the Conference (evidence no.2) .

**A proposed action plan for raising employment rate of employees approaching their ends of career is drafted,**

The proposed action plan, which includes 12 measures, has been drafted (evidence no.3) and made publicly available (<https://evenements.emploi.belgique.be/sites/default/files/content/events/Plan%20d%27actions%20Conf%C3%A9rence%20sur%20l%27emploi%202021.pdf>). The proposed action plan (evidence no. 3) includes preventive measures such as sectoral hardship funds to encourage and stimulate the adoption of measures at company level, particularly in small and medium-sized enterprises, to reduce work pressure and the arduous nature of jobs (p. 1); a measure to improve the regulations on softening the end of careers (p.2); and an invitation to the social partners to update and revise Collective Agreement No. 103 on time credit, career reduction and end-of-career posts (p.2).

As a complement to the action plan, a report (evidence no.4) has been produced which describes how the measures set out in the action plan contribute to achieving the objectives of the pension reform. The report includes, among other, a section on how the measures aim to reduce gender inequalities (page 3) and how to future-proof the sustainability of the pension system (page 2).

**based on a mapping of existing relevant federal measures, drafted by the federal ministry of labour, and [...]**

The mapping of existing relevant federal measures took the form of a register. The register, dated March 2021, contains a review of the different federal measures already in place, including their legal basis and a description of their policy objective in relation to the end of career (evidence no.5). A total of 28 measures are included in the register, which was drawn up by SPF Employment, Labour and Social Dialogue (Federal Ministry of Employment, Labour and Social Dialogue). The register (evidence no. 5) covers a wide range of measures, from investment in training as part of the concept of 'lifelong learning' (p. 9-13), to pension bonuses to encourage people to stay in work and postpone retirement (p. 55-61), to additional leave based on age (p. 62-64).

**[...] the input from social partners, regions and other stakeholders before and during the conference**

<https://emploi.belgique.be/fr/blog/premiere-edition-de-la-conference-sur-lemploi-video>

Before the conference, social partners contributed to the draft of the register mapping existing relevant federal measures related to end of career. This is evidenced by the list of authors on the register (evidence no.5) and it is mentioned in the video link provided by the Belgian authorities (<https://emploi.belgique.be/fr/blog/premiere-edition-de-la-conference-sur-lemploi-video>). In the video it is clearly mentioned that the register has benefitted from input by the social partners (INAMI, ONEM, ONSS, SFPD, and SPF Social Security).

The social partners were able to give their input on specific end of career topics during the conference. In the second day of the conference three different debate sessions with social partners were organised. These sessions were recorded and been made available on the webpage of the conference (<https://www.youtube.com/watch?v=zUJ30yPlxXw&t=5s>, <https://www.youtube.com/watch?v=jtvGnhcRu-4>, <https://www.youtube.com/watch?v=NkdsR2Y7HW0>). The conclusions of focus groups were summarised and presented on the second day of the conference. Moreover, on 8 September 2021, the second day of the conference, a debate with the different social partners was held

<https://evenements.emploi.belgique.be/fr/evenements-du-spf/conference-sur-lemploi-les-7-et-8-septembre>).

The regions were also able to provide input through the roundtable discussion held on 7 September with the different regional labour ministers (<https://evenements.emploi.belgique.be/fr/evenements-du-spf/conference-sur-lemploi-les-7-et-8-septembre>). There was also additional input from the regions, through the presentation by the Belgian High Council of Employment, which, given its composition, particularly reflects the interests of the different Regions (evidence no.11).

Furthermore, the Think Tank Minerva (evidence no.12) and Co-Prev, the association for Belgian external prevention services (evidence no.13) had the opportunity to hold a presentation, thus also allowing for the input from other stakeholders to be collected.

#### **The action plan is put on the agenda of the Council of Ministers.**

The action plan for raising the employment rate of workers approaching the end of their careers was placed on the agenda and adopted by the Council of Ministers on 17 February 2023. This is evidenced by the notification of the Council of Ministers meeting of 17 February 2023 (evidence no.14) and the accompanying note (evidence no.15).

**Furthermore, in line with the description of the measure, to involve stakeholders, the federal government plans to organise a conference on employment in 2021, which shall focus on “career ends” and employment of older workers. Based on the conclusions of this conference, an action plan with proposals for concrete measures shall be put forward to the federal government.**

Please see the analysis above for the fulfilment of these requirements of the measure.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Target:** 164 - Support for training leaves and online training offer in Flanders

**Related Measure:** [I-5.04], Learning and career offensive

**Quantitative Indicator:** persons

**Baseline:** 0

**Target:** 307 500

**Time:** Q4 2022

### 1. Context:

The measure implements the agreement concluded between the Flemish government and social partners, which includes the objective of boosting training and life-long learning. The measure consists in a set of sub-measures: (i) competency checks for enterprises; (ii) widening the online training offer; (iii) training for temporary unemployed; (iv) strong social entrepreneurship; (v) extra support to training leave.

The target requires that since 2021, 307.500 training leave rights were made use of and enrolments in online training were registered.

Target 164 is the first step of the implementation of the investment, together with milestone 167, related to support to the temporary unemployed in Flanders, and it will be followed by milestone 165, related to support to enterprises in Flanders via competency checks and calls for projects. The investment has a final expected date for implementation on 31 December 2024.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the CID annex) was satisfactorily fulfilled, including statistics and breakdowns of categories of beneficiaries (training leave/online training) and types of training provided. Date: 19/07/2024.
2	Spreadsheet VDAB/VOV	Spreadsheet listing anonymised beneficiaries with identifier and reference to training provided and official references of the related copy of attestation of enrolment in training. Date: 24/04/2024.
3	Database extract VDAB	Database extract listing all samples related to online training.
4	Confirmation e-mails VDAB	Copies of confirmation e-mails, confirming enrolment in online training.
5	Letter of approval VOV	Confirmation e-mails, confirming approval of training leave request.

6	Document on status training leave request	Document extracted from the Flemish Government application on training leaves for each sample, including the data and status of a training leave request.
7	Document on hours taken up within a training leave	Document extracted from the Flemish Government application on training leaves for each sample, listing the hours taken up in the context of an approved training leave.

**3. Analysis:**

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

**Since 2021, 307.500 training leave rights were made use of and enrolments in online training offer were registered.**

According to the evidence submitted by Belgium (see analysis below) there have been 340.369 registrations for online training courses and 37.892 registrations for the training leave right during the period of January 2021 and December 2022, amounting to a total of 378.261 training leave rights used and enrolments in online trainings..

The spreadsheet VDAB/VOV provided by Belgium (evidence no. 2), lists the registrations for online training as well as the training leave requests that were made use of during the period of January 2021 and December 2022:

For online trainings, the first sheet gives an overview of:

- Column A: Identifier of beneficiaries
- Column B: Training reference of the online training
- Column C: Registration number<sup>5</sup>
- Column D: Date of registration

For training leaves, the second sheet gives an overview of:

- Column A: Identifier of beneficiaries
- Column B: Training reference of the training for which the training leave is requested
- Column C: Case number<sup>6</sup>
- Column D: Date of approval of request for training leave

On the basis of a sample selected by the Commission, the Belgian authorities provided the following documentary evidence:

For online trainings:

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<sup>5</sup> Official references of the related copy of attestation of enrolment in training.

<sup>6</sup> For the use of training leave rights, the spreadsheet includes those cases, for which the attestation of enrolment is given by the provider of education and for which the employee has applied for a joint initiative training leave, the employer has applied for the reimbursement, the Department of Work and Social economy has assessed the case and considered it positive for repayment, and effective repayment has been (partly) conducted. The registered person is provided with a case number.

- 1) For each sampled unit: A copy of the e-mail from the VDAB confirming the enrolment in an online training offered by the VDAB, including the field/orientation of the training or name of training and the name of the person benefitting from the training.
- 2) A copy of a database extract related to online training, containing for each sample both the identifiers (“Klant ID” and “InschrijvingsID”) as provided in the spreadsheet VDAB/VOV (evidence no. 2), and the name and/or e-mail address of the person who registered for online training.

For training leaves:

- 1) An e-mail from the Flemish government to the employer who requested the training leave for their employee approving the training leave request.
- 2) A document containing information on the training leave request: The file number (“Dossiernummer”) of the training leave request file, the name of employer, name of employee, name of the training, start date of the training, and status of the training leave request (status “Uitgevoerd” meaning that the request was approved/executed).
- 3) A document containing the file number (“Dossiernummer”) of the training leave request, and listing the hours taken up in the context of an approved training leave.

The evidence provided for a sample of 60 units confirmed that the requirements of the target have been met. The analysis of the sampled units in the context of online training, shows that e-mails confirming registrations for online training (evidence no. 4) were sent for the trainings in the selected sample, with the information in the e-mail, matching the information in the data extract (evidence no. 3), and the spreadsheet VDAB/VOV (evidence no. 2). As such, the evidence provided, confirms that for the selected sample, **enrolment in online training offer were registered**. The analysis of the three documents provided by Belgium for each sampled unit in the context of training leave, confirms that the training leave requests were approved (evidence no. 6), and that hours were taken up (evidence no. 7) in the context of that training leave. As such, the evidence provided confirms that **training leave rights were made use of**.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Preliminary Assessment – M/T specific section:**

**Non-repayable support**

**Number and name of the Milestone:** 167 - Support to the temporary unemployed in Flanders

**Related Measure:** [I-5.04], Learning and career-offensive

**Qualitative Indicator:** VDAB Report delivered attesting of the outreach effort

**Time:** Q4 2022

**1. Context:**

The measure implements the agreement concluded between the Flemish government and social partners, which includes the objective of boosting training and life-long learning. The measure consists in a set of sub-measures: (i) competency checks for enterprises; (ii) widening the online training offer; (iii) training for temporary unemployed; (iv) strong social entrepreneurship; (v) extra support to training leave.

The milestone relates to sub-measure (iii) and requires that all persons temporarily unemployed since 1 January 2021 are contacted by the Flemish Public Employment Service (VDAB) to enrol in a training, internship, temporary job or volunteering job.

Milestone 167 is the first step of the implementation of the investment, together with target 164, related to training leave right and online training offer in Flanders, and it will be followed by milestone 165, related to support to enterprises in Flanders via competency checks and calls for projects. The investment has a final expected date for implementation on 31 December 2024.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	I-504_target 167_ Cover Note_VDAB	Summary document provided by Belgium on 18 July 2024.
2	Annex 1 – Alle Hens aan Dek 14/12/2020	VESOC Agreement ‘Alle Hens aan Dek’ of the Flemish government and the Flemish employer and employee organisations, detailing the measures and initiatives linked to three pillars, one of which is the Learning and Career-offensive. Authors: Flemish government and social partners. Date: 14 December 2020.
3	Annex 2 – Monitoring Report of the Flemish government Dec 2023	Report of the Flemish government on the Flemish Recovery Plan ‘Vlaamse Veerkracht’ containing the progress report on actions for the temporarily unemployed – Author:

		Department of Chancellery and Foreign Affairs (DKBUZA) – Date: December 2023.
4	Annex 3 – Note to Flemish Government 09/07/2021	Note from the Flemish Minister of Economy, Innovation, Work, Social economy and Agriculture, to the Flemish government, setting out the arrangements between the Flemish government and the VDAB in the context of the Learning and Career-offensive. Date: 9 July 2021.
5	Annex 4 - Note VDAB- RvB 03/02/2021	Note drafted by the VDAB to its board of directors with the monitoring of communication actions to the temporary unemployed and monitoring of training participation and other forms of skills enhancement of temporarily unemployed. Date: 3 February 2021.
6	Annex 5 - Note VDAB- RvB 31/03/2021	Note drafted by the VDAB, explaining the communication approach to the temporarily unemployed with the 3-stage model and the definition of 'intensively temporary unemployed'. Date: 31 March 2021.
7	Annex 6 - Note VDAB- RvB 05/05/2021	Note drafted by the VDAB to its board of directors with the monitoring of communication actions to the temporary unemployed and monitoring of training participation and other forms of skills enhancement of temporarily unemployed. Date: 5 May 2021.
8	Annex 7 - Note VDAB- RvB 09/06/2021	Note drafted by the VDAB to its board of directors with the monitoring of communication actions to the temporary unemployed and monitoring of training participation and other forms of skills enhancement of temporarily unemployed. Date: 9 June 2021.
9	Annex 8 - Note VDAB- RvB 07/07/2021	Note drafted by the VDAB to its board of directors with the monitoring of communication actions to the temporary unemployed and monitoring of training participation and other forms of skills enhancement of temporarily unemployed. Date: 7 July 2021.
10	Annex 9 - Nota RvB 06/10/2021	Note drafted by the VDAB to its board of directors including a proposal to perpetuate

		approach to temporary unemployed, evaluation of communication actions, arrangements regarding monitoring, etc. Date: 6 October 2021.
11	Annex 10 - Survey temporarily unemployed - Feb 2021	VDAB Report of February 2021 on survey gathering information on percentages of unemployed attending training, voluntary work or a temporary job. Supporting evidence showing follow-up by VDAB on needs and expectations of the temporarily unemployed. Author: VDAB. Date: February 2021.
12	Annex 11 - Survey temporarily unemployed - June 2021	VDAB Report on survey gathering information on percentages of unemployed attending training, voluntary work or a temporary job. Supporting evidence showing follow-up by VDAB on needs and expectations of the temporarily unemployed. Author: VDAB. Date: June 2021.
13	Annex 12 - Monitoring the temporarily unemployed	Spreadsheet monitoring the contact strategy towards temporary unemployed persons – Supporting evidence provided by VDAB, giving an overview of number of unemployed persons contacted between January 2021 and December 2022. Author: VDAB. Date: 22 March 2024.
14	Example_mailing_TW	Example of screenshot showing for one person, the different e-mails received in the context of the communication to the temporary unemployed.
15	Observationletter2_M167	Reply to First Observation Report. Date: 10 October 2024.
16	AUDIT_maandrapporten_2022	Spreadsheet listing the unemployed (anonymised) persons contacted in 2022. Date: 10 October 2024.
17	AUDIT_maandrapporten_2021_id	Spreadsheet listing the unemployed (anonymised) persons contacted in 2021. Date: 10 October 2024.
18	Annex_2___campaign_journey_temporary_unemployed.	Schedule of the campaign journey for temporary unemployed. Date 12/09/2024.
19	Annex_4___tss_temporaryunemploymentservice	Document describing the technical specifications regarding the data transfer between the National Employment Office in

		Belgium (RVA) and VDAB, via the platform of the Kruispuntbank Sociale Zekerheid (KSZ). Date 12/09/2024.
20	Annex_5___Printscreen_1file_TDWL	Print screen of an extract of the file listing the recipients. Date 12/09/2024.
21	Annex_6___Printscreen_2_file_TDWL	Print screen of an extract of the file listing the recipients. Date 12/09/2024.
22	Mail_TW_1	Example 1 of type of e-mail sent to temporary unemployed. Author: VDAB. Date of example: 12 September 2024.
23	Mail_TW_2	Example 2 of type of e-mail sent to temporary unemployed. Author: VDAB. Date of example: 12 September 2024.
24	Mail_TW_3	Example 3 of type of e-mail sent to temporary unemployed. Author: VDAB. Date of example: 12 September 2024.
25	Mail_TW_4	Example 4 of type of e-mail sent to temporary unemployed. Author: VDAB. Date of example: 12 September 2024.
26	Mail_TW_5	Example 5 of type of e-mail sent to temporary unemployed. Author: VDAB. Date of example: 12 September 2024.

### 3. Analysis:

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

#### **All persons temporarily unemployed since 1 January 2021 shall be contacted by the Flemish Public Employment Service (VDAB)**

In the context of the Learning and Career Offensive – project, the Flemish Public Employment Service (VDAB) has since the beginning of 2021 until end of 2022, reached more than 99% of the temporarily unemployed via email communication from VDAB,<sup>7</sup> according to Annex 2 – Monitoring Report of the Flemish government Dec 2023. The Monitoring Reports of the Flemish government monitor all 180 projects that are part of the Flemish recovery and resilience plan and are published on their website (<https://www.vlaanderen.be/datavindplaats/catalogus/relanceplan-vlaamse-veerkracht-monitoring-en-voortgangsrapportering>). Progress of the projects that are included, has been measured at six occasions since the beginning of 2021, with the last measurement in December 2023.

Milestone 167 is part of the project “Learning and career-offensive”, covered in this monitoring report. On page 133, the report lists the output for the Learning and Career Offensive – project, which includes

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<sup>7</sup> Monitoring Report of the Flemish government December 2023 (p.134): “Sinds begin 2021 tot einde 2022 werden meer dan 99% van de tijdelijk werklozen bereikt via mailcommunicatie van VDAB.”

the VDAB contacting all persons who have been temporarily unemployed since 1 January 2021, with an offer for training, internship, volunteer work.

Pages 134-137 of the report contain, for the Learning and Career-offensive project<sup>8</sup>, the progress report on actions for the temporarily unemployed. It describes on page 134 the project progress, confirming that:

- The VDAB developed at the beginning of 2021, an approach with the goal to reach all temporarily unemployed persons, with a suitable offer.
- Since the beginning of 2021 until end of 2022, more than 99% of the temporarily unemployed have been reached via email communication from VDAB.

Pages 137-138 add that for the output indicator “All persons temporarily unemployed since 1 January 2021 shall be contacted by the Flemish Public Employment Service (VDAB) to enrol in a training, internship, temporary job or volunteering job” the target value was 100%, and the realised value is 99%.

The Council Implementing Decision required that **all persons** temporarily unemployed since 1 January 2021 are contacted by the VDAB to enrol in a training, internship, temporary job or volunteering job. However, according to additional information provided by the VDAB after submission of the payment request, the monitoring and reporting by the VDAB monitoring department had revealed that the temporarily unemployed for which VDAB did not have an e-mail address, were not contacted. This is confirmed by the progress report of the Flemish government, which details that more than 99% of temporarily unemployed were reached in the context of the fulfilment of the requirement. This is supported by the output indicators in the Monitoring report of the Flemish government, published in December 2023 (<https://publicaties.vlaanderen.be/view-file/64948>).

Whilst this constitutes a minimal numerical deviation of less than 1% from the requirement of the Council Implementing Decision, the overall objective of this milestone is considered met notwithstanding this minor deviation. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

#### **to enrol in a training, internship, temporary job or volunteering job.**

Annex 2 – Monitoring Report of the Flemish government Dec 2023, explains on page 134 that since beginning of 2021 the VDAB developed an approach with the aim to reach all temporarily unemployed persons, with a suitable offer.

Belgium furthermore shared templates of e-mails that are used for this communication (evidence Mail\_TW\_1, Mail\_TW\_2, Mail\_TW\_3, Mail\_TW\_4 and Mail\_TW\_5). The e-mails vary in terms of information/offers provided, from more general to more specific. They include information about available temporary job offers or volunteer work, available trainings (some of which include internships), as well as career coaching.

The Commission services conducted an on-the-spot check on 11 November 2024 to verify how *all persons temporarily unemployed* were captured, and whether they were *contacted*. During the check, Belgium was requested to show how the data on temporary unemployed persons, received by the Public Employment Service of Flanders (VDAB) from the Belgian National Employment Office (RVA), is processed to obtain a list of temporary unemployed persons to be contacted, as well as how the communication is sent out and stored. This check was completed successfully, confirming that all temporarily unemployed persons are captured and contacted by the Flemish Public Employment Service (VDAB).

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<sup>8</sup> Project ‘VV018 - opleidingsoffensief arbeidsmarkt’

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 168 - Vision paper on learning and career account in Flanders

**Related Measure:** R-5.04 - Life-long learning of the Flemish Community

**Qualitative Indicator:** Publication of agreement by the Government

**Time:** Q2 2022

**1. Context:**

Milestone 168 is part of the reform Life-long learning of the Flemish Community (R-5.04). The objective of the reform is to pave the way towards an individual learning and career account making all training incentives clearly visible together in a single central place so that citizens know clearly their learning rights and the available support. A vision paper, agreed by social partners and the Flemish government, will set out how a learning and career account shall be introduced in Flanders.

Milestone 168 concerns the publication by the Government of the agreement between social partners and the Flemish government on the vision paper, setting out how a learning and career account shall be introduced in Flanders, taking into consideration the need to increase transparency to citizens, better inclusion of vulnerable groups and ensuring alignment with digital learning account platform set up at the federal level. The achievement of this milestone was foreseen for Q2 2022.

Milestone 168 is the only milestone of this reform.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document provided by Belgium, duly justifying how the milestone was satisfactorily fulfilled. Date: 02/02/2024.
2	Visienota	Copy of the agreed Vision Paper "Towards a learning and career account in Flanders", produced by Flemish Government, Department of Work and Social Economy (in NL + translated in EN) and published online on 25 March 2022.
3	Summary note	Note detailing the consultation process with Social Partners, produced by the Flemish Government, Department of Work and Social Economy and dated 1 February 2024.

**3. Analysis:**

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

**Agreement between social partners and Flemish government on vision paper**

During the process leading up to the publication of the vision paper, the Department of Work and Social Economy (DWSE) of the Flemish government consulted the social partners on multiple occasions in the Social and Economic Council of Flanders ([SERV](#)), the advisory body in which social partners (labour unions and employer associations) are united in different thematic committees. This is evidenced by the [formal advice](#) (on page 8) of the SERV issued on 9 May 2022, for which the link to the publication is provided in the cover note, which confirms that the social partners were closely involved in the process leading up to the publication of the vision note: “The SERV appreciates the process that has led up to the vision note ‘Towards a learning and career account in Flanders’. The Flemish social partners were intensively involved in this process. The vision paper also takes into account the [exploratory advice on the individual learning account](#)<sup>9</sup> (*Verkenning individuele leerrekening*) and the conclusions of the VIONA study<sup>10</sup>.” The formal advice confirms that the social partners endorse the ambition set out in the vision paper (page 8) and agree with the objectives of the learning and career account (page 9). The SERV, in its advice, also endorses the principles described in the vision paper (page 9), and the idea of a phased approach (page 12).

### **setting out how a learning and career account shall be introduced in Flanders**

The vision paper sets out a growth path for the step-by-step elaboration of the learning and career account in Flanders, as evidenced by evidence two: the Vision Paper “Towards a learning and career account in Flanders” ([Vision Memorandum learning and career account \(vlaanderen.be\)](#)). The Vision Paper explains first the ambitions (page 7), objectives (page 7) and principles (pages 11-16) of the learning and career account, followed by the different steps towards the gradual implementation of the learning and career account. These steps start with a digital wallet / overview as basis and are followed by a harmonisation and simplification of conditions of government incentives within the two pillars “rights to money” and “rights to time”. At the same time an analysis is done on better transferability of training incentives.

### **taking into consideration the need to increase transparency to citizens, better inclusion of vulnerable groups and ensuring alignment with digital learning account platform set up at the federal level.**

The Flemish Government approved the vision paper 'Towards a learning and career account in Flanders'. The paper explains the need for harmonisation (page 21) to **increase transparency** and help lower the threshold for citizens, adding that an assessment will be needed and pointing to work on harmonisation in the context of a concept paper. The vision paper further emphasises that it must be ensured that existing resources for **vulnerable groups** continue to go to these groups and are not spread out over the broad working population. In this regard, the vision paper indicates that the training incentives from the policy area ‘Work’ can be assessed, and it can be analysed whether these must be expanded or reoriented in order to be able to reach the most vulnerable groups on the labour market (page 24). It adds that appropriate support is needed, in particular for people with limited digital skills (page 25). Finally, the paper explains that at the operational level, Flanders is working in the course of 2022 on the development of the digital wallet of Flemish Training Incentives, in agreement with the Flemish Public Employment Service (VDAB) in order to provide connectivity with the personalised career platform. For the expansion of this personalised overview from 2023, Flanders plans to **coordinate with the federal level** in the context of the initiative regarding the training account, so that both initiatives can strengthen each other (page 27).

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<sup>9</sup> Exploratory advice of the SERV of 13 May 2022.

<sup>10</sup> VIONA-study on the individual learning and career account (<https://www.vlaanderen.be/publicaties/naar-een-leer-en-loopbaanrekening-voor-vlaanderen-idea-consult>).

Furthermore, in line with the description of the measure, **the reform measure shall pave the way towards an individual learning and career account which shall make all training incentives clearly visible together in a single central place so that citizens know clearly their learning rights and the available support.**

The reform measure, in the form of a publication of a vision paper, sets out **how a learning and career account shall be introduced in Flanders** (see also second requirement above). As such, it paves the way towards an individual learning and career account. The vision paper further details (page 18) that in the course of 2022, Flanders works towards a digital wallet with training initiatives, allowing people to find at a single glance, clear and personalised information about the Flemish Training Initiatives to which they are entitled. This is followed by further populating the digital wallet in the course of 2023 with more training initiatives. The digital wallet is supposed to, in addition to unlocking personal entitlements, also refer people to information about other support that is available (page 19). This should allow citizens to know clearly their learning rights and available support.

Moreover, in line with the description of the measure, **the vision paper shall be delivered by 30 June 2022.** The approval of the Flemish government of the vision paper was given on 25 March 2022, as evidenced by the publication of the approval of the Flemish government (<https://beslissingenvlaamseregering.vlaanderen.be/document-view/6238975B6BB7B593CFC18BCB>) and the publication of the Vision Paper ([Vision Memorandum learning and career account \(vlaanderen.be\)](https://www.vlaanderen.be/document/vision-memorandum-learning-and-career-account))

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Target:** 169 - Development of e-learning offer in Flanders

**Related Measure:** I-5.06 - Digital Skills

**Quantitative Indicator:** E-learning projects

**Baseline:** 0

**Target:** 37

**Time:** Q4 2022

### 1. Context:

The measure implements the agreement concluded between the Flemish government and social partners, which include the objective of the 'digital transformation of Flanders' (pillar II of the agreement). The project consists of three separate initiatives: (i) "eLearning action plan", with calls for public training providers to develop their online training offer, (ii) "career digital tools and services", with the development of an individual training and career account, (iii) "digital tools and services for employers and partners", with the digital transformation of Flanders public employment service (VDAB) and of the Department of Labour and social economy (Werk & Social Economie). The implementation of the investment shall be completed by 31 December 2024.

The target aims to develop the e-learning offer in Flanders by approving, launching and completing 37 e-learning projects, following a call for project.

Target 169 is the first step of the implementation of the investment and it will be followed by milestone 170, related to the development of an individual training and career account for individuals, and the digital transformation of Flanders public employment service (VDAB) and of the Department of Labour and social economy (Werk & Social Economie). The investment has a final expected date for implementation on 31 December 2024.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Covernote	Summary document provided by Belgium, duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the CID annex) was satisfactorily fulfilled. Date: 17/07/2024.
2	Published call for project	Copy of the published call for project. Author: Department of Work and Social Economy of the Flemish Government. Date: 17/12/2020.
3	List of selected projects	List of selected projects, with a description and period for implementation, as well as official references of contracts signed with all chosen contractual counterparts. Author: Department of Work and Social Economy of the Flemish Government. Date: 18/07/2024.





50	Certificate of works completion for project 10709	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
51	Certificate of works completion for project 10713	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
52	Certificate of works completion for project 10714	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
53	Certificate of works completion for project 10715	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
54	Certificate of works completion for project 10716	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
55	Certificate of works completion for project 10717	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
56	Certificate of works completion for project 10718	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
57	Certificate of works completion for project 10719	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
58	Certificate of works completion for project 10720	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
59	Certificate of works completion for project 10721	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
60	Certificate of works completion for project 10722	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
61	Certificate of works completion for project 10724	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
62	Certificate of works completion for project 10726	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
63	Certificate of works completion for project 10727	Certificates of works completion signed by contractor and competent authority. Date: xx/xx/2022
64	Besluit Vlaamse Regering oproep 524 e-leren	Copy of the Decree of the Flemish Government to award project subsidies to training providers in the context of the e-learning call for the implementation of the e-learning action plan ( <i>Besluit Vlaamse Regering oproep 524 e-leren</i> ). This includes as annex all projects that were positively assessed in the context of the call for e-learning and serves as an official reference of the contracts signed and approved by the Minister of Work and Social Economy. Author: Flemish Government. Date: 08/10/2021.

### 3. Analysis:

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

#### following a call for project

A call for project was launched, running from 1 January 2021 until 31 March 2021, as evidenced by the copy of the published call for project ([E-leren | Europa WSE](#)) which explains on page 3 that within this call,

work is required on adapting an existing training course to an e-training course, adapting an existing e-training course or developing a new e-training course.

### **37 e-learning projects are approved,**

Following the publication of the call for project, more than 60 e-learning projects that meet the conditions and objectives of the call, were selected, as evidenced by the copy of the Decree of the Flemish government to award project subsidies to training providers in the context of the e-learning call for the implementation of the e-learning action plan (*Besluit Vlaamse Regering oproep 524 e-leren*). Article 1 of the Decree states that a project grant is awarded to the beneficiaries with the aim of implementing the submitted and approved project proposal in the context of the e-learning call. It furthermore states that the list of beneficiaries is included in Annex 1 attached to the decree, demonstrating that the selected projects have been approved (pages 111 - 112 of the evidence).

### **launched and completed**

The 60 projects have resulted in an e-training course. A certificate of works completion for each project, has been submitted as evidence. Each certificate is dated, declares that actions for the project (including project name and number) within the RRF-call for e-learning (project I-5.06 T169) have been launched and completed, and is signed by the contractor and the competent authority, demonstrating that the project has been completed and is operational (evidence no 4 to evidence no 63). For each e-learning project, a link to the platform of the e-learning project concerned is included in the *Certificate of works completion*, demonstrating that the project is operational and working. Three examples of such e-learning projects include e-learning courses on Implementation of scientific research in nursing practice, Digitalisation in construction, and Lifelong learning for paramedics.

All projects for which certificates of completion were received, have been approved, launched and completed, fulfilling the target of 37 e-learning projects approved, launched and completed.

**Furthermore, in line with the description of the measure, the measure includes an “eLearning action plan”, with calls for public training providers to develop their online training offer.** This element is linked specifically to target 169. Belgium launched a call for public and private training providers to develop their online training offer, as evidenced by the copy of the published call for project. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision to launch a call for public training providers, it does not change the nature of the measure and does not affect the achievement of the investment that the target represents. Indeed, as detailed above, 37 e-learning projects were approved, launched and completed. The fact that they were not all carried out by public training providers does not affect the level of achievement of the investment in terms of increasing the e-learning offer. In addition, the call results in the development of the online training offer by training providers, as evidenced by the *Published call for project*, which details that training providers are supported to convert existing training courses to e-training, update existing e-training or develop new e-training courses. On top of researching technological possibilities, attention is also paid to the development of the necessary didactics, and the training provider is obliged to develop adequate guidance of the learners before, during and after the online programme, with extra attention to learners with specific support needs. Subsequently, guidance for teachers is also developed.

As it does not change the nature of the measure and does not affect the progress towards the achievement of the investment that the target represents, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**4. Commission Preliminary Assessment:**

Satisfactory fulfilled

**Preliminary Assessment – M/T specific section:**

Non-repayable support

**Number and name of the Milestone:** 186 - Award of public contracts for R&D and infrastructure projects

**Related Measure:** BE-C[C52]-I[I-511]: Strengthen R&D

**Qualitative Indicator:** Notification of the award projects

**Time:** Q4/2022

**1. Context:**

This investment is meant to contribute to Flanders’ objective to reach the EU target of spending 3% of GDP on R&D. In particular, it aims at boosting innovation of Flanders’ economic operators through R&D&I with a focus on three areas: digitalisation, sustainability and health.

Under the measure at least 200 projects shall be awarded covering all areas of intervention of the measure. Under the measure two different axes are identified. Under the first axis projects shall focus on sustainable, digital and health related activities involving companies or institutions not focused on business activities. Under the second axis, projects will support companies’ R&D&I. Under this axis R&D&I projects can for example relate to the pharmaceutical sector, and to 3D printing technology.

Under the measure, support for the participation to the planned IPCEI on micro-electronic is also foreseen.

For all projects, compliance with the ‘Do no significant harm’ Technical Guidance (2021/C58/01) shall be ensured. The terms of reference shall additionally require that only activities that comply with relevant EU and national environmental legislation may be selected.

Milestone 186 is the first step of the implementation of the investment I-5.11 and it will be followed by milestone 187 related to budgetary execution of the awarded projects. The investment has a final expected date for implementation in August 2026.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Summary document of 10 June 2024	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	BE-C[C52]-I[I-511]-M[186]	Spreadsheet with the list of awarded projects. Under the second tab, the list provides the name of awarding authority (column J), the axis

	_1__Spreadsheet_of_selected_projects	under which the project is awarded (column M), whether the project was selected based on call for proposal or an existing grant scheme (column L), the amount committed for each project (column E).
3	Notification letters related to projects selected in the sample, 5 March 2021-16 December 2022	For 60 projects, copy of notification from VLAIO or EWI to the awarded projects.
4	Documents confirming compliance of projects selected in the sample with the DNSH requirements	For 60 projects, documents confirming the compliance of projects with the DNSH requirements. For projects awarded following calls for proposals, these documents consist in i) copy of the award notification to the successful candidates making the grant conditional to compliance with the DNSH guidance and with the national and EU environment legislation; ii) copy of the term of reference of the calls for proposals including as eligibility criteria compliance with the DNSH Technical Guidance; iii) copy of the assessment of compliance with the DNSH Technical Guidance; iv) application form with a description of the project and of its activities ensuring that none of the excluded activities is included. For projects awarded through grant schemes that do not work with calls for projects, these documents consist in: i) a screenshot of the internal database with the internal assessment of DSH compliance, ii) the internal assessment of DNSH compliance for each project, iii) a communication to the selected candidates of the grant being conditional to compliance with the DNSH criteria.
5	BE-C[C52]-I[I-511]-M[186] _Annex_1b__Grant_Agreement_PREVAIL_pdf	Grant agreement in the context of the Digital Europe Programme to project 'PREVAIL'
6	BE-C[C52]-I[I-511]-M[186]	Grant agreement to project 'PREVAIL' signed on 1 July 2022

	_Annex_3e__Grant_agreement_VV023_11	
7	BE-C[C52]-I[I-511]-M[186]_HBC_2021_1143__Beslissingsbrief__Soit ec_.pdf	Award notification and awarding decision for IPCEI project HBC_2021_1143
8	BE-C[C52]-I[I-511]-M[186]_HBC_2021_1146__Beslissingsbrief__Belgan	Award notification and awarding decision for IPCEI project HBC_2021_1146

### 3. Analysis:

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

#### **Notification, by VLAIO and the ‘Departement Economie, Wetenschap en Innovatie’ (EWI), of the award of 200 projects to the successful candidates**

Belgium provided an excel file (evidence No. 2) with a list of 401 projects that have been awarded under calls for proposals or through grant schemes that do not work with calls for projects. According to the excel file, out of the 401 projects, 363 projects were selected through ten different grant schemes exceeding the number of 200 projects required by the CID.

Following the selection of a random sample of 60 units, Belgium submitted copies of the notification of the award to the successful candidates for the selected projects (evidence No. 3). These documents demonstrate that the award of each project has been notified by either VLAIO or EWI. The evidence provided for all 60 units in the sample confirmed that the award of each project has been notified by either VLAIO or EWI.

**.. following the call for proposals, with terms of reference including eligibility criteria that ensure that the selected projects comply with the ‘Do no significant harm’ Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation. [...]**

Following the selection of a random sample of 60 units, *for each unit sampled, Belgium submitted the following evidence:*

- i. copy of the notification to the successful candidate of projects awarded,
- ii. copy of the terms of reference of the call for proposal through which the project was selected,
- iii. copy of the application form, and
- iv. copy of the DNHS assessment as filled in by the applicant.

This evidence demonstrates that all projects were awarded following calls for proposals, with terms of reference including eligibility criteria that ensure that the selected projects comply with the ‘Do no significant harm’ Technical Guidance (2021/C58/01). However, the terms of reference of the calls for proposals did not contain the list of excluded activities and the requirement of compliance with the relevant EU and national environmental legislation.

The Council Implementing Decision required that for projects awarded following calls for proposals the terms of reference include eligibility criteria that ensure that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation. While the terms of reference of the calls for proposals include eligibility criteria that ensure that the selected projects comply with the 'Do no significant harm' Technical Guidance, these terms of reference do not contain the list of excluded activities and the requirement of compliance with the relevant EU and national environmental legislation. However, Belgium has provided (i) copies of the application forms from the successful candidates and (ii) copies of the DNSH self-assessments filled in by the applicants submitted with their application. The descriptions of the projects in the application forms and the DNSH self-assessments demonstrate that each selected project complies with the "do no significant harm" (2021/C58/01) technical guidelines based on the exclusion list. The analysis of this evidence confirmed that none of the projects selected under the calls for proposals includes activities related to fossil fuels, including downstream use; activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; activities related to waste landfills, incinerators and mechanical biological treatment plants; or activities where the long-term disposal of waste may cause harm to the environment. Moreover, Belgium provided (ii) copies of the notifications to the successful candidates which stipulates that the grant is conditional to compliance with the technical guidelines on "do no significant harm" (2021/C58/01) and lists the excluded activities. The notification to the successful candidates also stresses that only activities complying with relevant EU and national environmental legislation are allowed. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, (i) the application forms, (ii) the DNSH self-assessments and (iii) the notifications to the successful candidates ensure compliance with the "do no significant harm" (2021/C58/01) technical guidelines based on the exclusion list and with the relevant EU and national environmental legislation. As of this, this minimal deviation does not affect the progress towards achieving the investment that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

**For projects awarded through grant schemes that do not work with calls for projects, compliance with the technical guidelines "do no significant harm" (2021/C58/01) is also enforced through an eligibility criterion based on the same exclusion list and the requirement of compliance with relevant EU and national environmental legislation.**

*Following the selection of a random sample of 60 units, for each unit sampled, Belgium submitted the following evidence for projects awarded through grant schemes that do not work with calls for projects:*

- i. a copy of the internal assessment of compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list,
- ii. a screenshot of the internal database from which the internal assessment has been extracted and
- iii. a copy of the communication to the successful candidates confirming that the grant is conditional to compliance with the technical guidelines "do no significant harm" (2021/C58/01) and lists the excluded activities. In addition, it also stresses that only activities complying with relevant EU and national environmental legislation are allowed.

This evidence provided for a sample of 60 units confirmed that all projects awarded through grant schemes that do not work with calls for projects complied with the technical guidelines "do no significant harm" (2021/C58/01).

The Council Implementing Decision required that for projects awarded through grant schemes that do not work with calls for projects, compliance with the "do no significant harm" technical guidelines (2021/C58/01) is enforced through an eligibility criterion based on the exclusion list and the requirement of compliance with relevant EU and national environmental legislation. For projects awarded through grant schemes, there is no ex-ante eligibility criterion based on the exclusion list and the requirement of compliance with relevant EU and national environmental legislation. However, Belgium has provided, for each of the units in the sample, (i) the internal assessments of compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and (ii) a screenshot of the internal database from which the internal assessment has been extracted. The analysis of this evidence confirmed that none of the projects selected through grant schemes that do not work with calls for projects includes activities related to fossil fuels, including downstream use; activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; activities related to waste landfills, incinerators and mechanical biological treatment plants; or activities where the long-term disposal of waste may cause harm to the environment. Belgium also provided (iii) the notification to the successful candidates which confirms that the grant is conditional to compliance with the technical guidelines on "do no significant harm" (2021/C58/01) and lists the excluded activities. In addition, the notification also stresses that only activities complying with relevant EU and national environmental legislation are allowed. As such, this additional check confirms that the selected projects comply with the requirements of the Council Implementing Decision.

Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, (i) the internal assessments, (ii) the screenshots of the internal database and (iii) the notification to the successful candidates which confirms that the grant is conditional to compliance with DNSH, ensure compliance with the "do no significant harm" (2021/C58/01) technical guidelines based on the exclusion list and with the relevant EU and national environmental legislation. As of this, this minimal deviation does not affect the progress towards achieving the investment that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

#### **EUR 20 000 000 will be awarded to project 'PREVAIL'.**

A subsidy of EUR 20 million was awarded to company IMEC in the context of the 'PREVAIL' project (evidence number 6). Article 3 of the project agreement signed on 1<sup>st</sup> July 2022 by the Flemish 'Departement Economie, Wetenschap en Innovatie' (EWI) and IMEC (the successful candidate) stipulates that a grant of maximum EUR 20 million has been awarded.

Furthermore, in line with the description of the measure, **two different axes are foreseen. A first axis shall target R&D&I projects with a focus on sustainable, digital and health related activities involving companies or institutions not focused on business activities (for example hospitals, universities, research centers). The second axis shall focus on targeting R&D&I support to companies. Under this axis R&D&I projects can for example relate to the pharmaceutical sector, and to 3D printing technology.** According to the excel file (evidence No. 2), out of the 401 projects awarded, 57 projects fall under axis 1 as they focus on sustainable, digital or health related activities and involve the participation of companies or institutions not focussed on business activities; 344 projects fall under axis 2 as they focus on providing R&D&I support to companies.

Following the selection of a random sample of 60 units, Belgium submitted copies of the notification of the award to the successful candidates and, where relevant, copies of the application form which provide information about the participants involved in the projects and a description of the project and of the area on which the project focusses. The evidence provided for a sample of 60 units confirmed that all

projects under axis 1 focus on sustainable, digital or health related activities and involve the participation of companies or institutions not focussed on business activities, demonstrating that the requirement set in the measure description has been met. The analysis of the description of the project as from the notification of the award to the successful candidates and where relevant from the application form also confirmed that all projects under axis 2 focus on providing R&D&I support to companies, demonstrating that this requirement set in the measure description has also been met.

Furthermore, in line with the description of the measure, **support for the participation to the planned IPCEI on micro-electronic is also foreseen**. Belgium provided copies of the notification of the award which demonstrate that two projects were approved in the context of an expression of interest for the IPCEI micro-electronics: HBC.2021.1143 Soitec Belgium and HBC.2021.1146 BelGaN (evidence n. 7 for project HBC.2021.1143 Soitec Belgium, and evidence n.8 for project HBC.2021.1146 BelGaN). The two projects were selected, as associated participants, in the context of the project called “IPCEI ME/CT”, which was approved by the Commission on 8 June 2023 (see link: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_23\\_3087](https://ec.europa.eu/commission/presscorner/detail/en/ip_23_3087)). The notifications of award show that Belgium is providing support to the two IPCEI on micro-electronic projects.

Furthermore, in line with the description of the measure, **the RRF shall support part of the costs of this investment. This investment may also receive support from other Union programmes or instruments for costs that are not supported by the RRF**. One of the 401 projects, project ‘PREVAIL’, has received support from other Union programmes or instruments (grant agreement in the context of the Digital Europe Programme to project ‘PREVAIL’). Belgium provided a copy of the grant agreement in the context of the Digital Europe Programme to project ‘PREVAIL’ (evidence No 5). According to the grant agreement in the context of the Digital Europe Programme, project ‘PREVAIL’ has been awarded a maximum grant of EUR 24 899 900.33\_ from the Digital Europe Programme. The grant agreement also estimates the total cost of the project (involving four partners) at more than EUR 155 million. Under the Recovery and Resilience Facility, the grant agreement signed on 1st July 2022 by the Flemish ‘Departement Economie, Wetenschap en Innovatie’ (EWI) and IMEC (the successful candidate) (evidence No. 6) stipulates that a grant of maximum EUR 20 million has been awarded related to the PREVAIL project. In the grant agreement in the context of the Digital Europe Programme (evidence n. 5), under section 6.3 “Ineligible costs and contributions”, Article 6.3 stipulates that “costs or contributions declared under other EU grants (or grants awarded by an EU Member State, non-EU country or other body implementing the EU budget) are ineligible”. This confirms that grants from Digital Europe Programme can finance only costs that are not supported by the RRF and ensures that the same cost will not be supported by both EU funding sources.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Target:** 189 - Support for 30 food relocation projects, 4 emerging sectors and 5 pieces of infrastructure

**Related Measure:** [I-5.12], Relocation of food and development of logistics platforms

**Quantitative Indicator:** Number of projects

**Baseline:** 0

**Target:** 39

**Time:** Q4 2022

**1. Context:**

The objective of this investment is to support the development of new agricultural sectors based on the principle of short supply chains and the development of missing tools (“links”) within the existing supply chain. It includes the creation of 30 small-scale pieces of infrastructure to support the production, the storage, the transport and the small-scale processing of products coming from four food chains, and the construction of two logistics hubs dedicated to the activities of wholesalers, food processing of primary products and incubator of cooperatives, complemented by the construction of critical infrastructure which shall contribute to the deployment of the sustainable agri-food chain.

Target 189 concerns the award of subsidies to 30 small scale infrastructures, 4 larger structuring projects and at least 5 pieces of infrastructure.

Target 189 is the first step of the implementation of the I-5.12 Investment on the relocation of food and development of logistics platforms. It will be followed by Milestone 188 related to the award of public works contracts for the construction of two logistic hubs, Target 190 related to the construction of two logistic hubs, and Target 191 related to the construction of at least five pieces of infrastructure, 30 small scale infrastructure and four larger structuring projects. The investment has a final expected date for implementation in Q2 2026.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and the corresponding measure in the CID annex) was satisfactorily fulfilled.
2	T[189] Note rectificative au Gouvernement wallon	This document, dated 13 April 2023 and emitted by the Walloon Government, contains the final selection of projects of the calls for projects No. 1 (the creation of 30 small-scale infrastructures), No. 2 (structuring projects for the 4 sectors (fruits,

		vegetables, cereals, vegetable proteins)) and No. 3 (construction of 5 critical infrastructures).
3	T[189] Notification du Gouvernement wallon	This document, signed by the Secretary of the Walloon Government, contains the official notification of 13 April 2023 of the selection of projects of the calls for projects No. 1 (the creation of 30 small-scale infrastructures), No. 2 (structuring projects for the 4 sectors (fruits, vegetables, cereals, vegetable proteins)) and No. 3 (construction of 5 critical infrastructures).
4	Copy of subsidy orders “Arrêtés de subventionnement” for at least 30 small scale infrastructures (various documents in Fenix)	<p>These documents, dated 13 April 2023 and signed by the Minister-President of the Walloon Government and the Minister for the Environment, Nature, Forests, Rural Affairs and Animal Welfare, contains the grant decision for the award of the subsidy allocated to the following beneficiaries:</p> <ul style="list-style-type: none"> <li>- TransformAé</li> <li>- Terres du Val</li> <li>- Bio de la Botte</li> <li>- Les Moulins du Val-Dieu</li> <li>- Perma garden</li> <li>- Société Coopérative Agricole de la Meuse</li> <li>- Ferme Fourmanoy</li> <li>- Regie Communale Autonome de Héron</li> <li>- Moulin de Tongrinne</li> <li>- Les 4 fermes</li> <li>- Ville de Liège et Horizon PAAC</li> <li>- ASBL Solidairement</li> <li>- Société Agricole Debouge et enfants</li> <li>- Ateliers de Pontaury</li> <li>- La Coop Alimentaire</li> <li>- Jardin D’Arthey</li> <li>- La Ferme de l’Abreuvoir</li> <li>- Agronuts</li> <li>- C tout bon</li> <li>- Eco.Culture</li> <li>- Agricoeur Pole circuit-court</li> <li>- In BW Association Intercommunale</li> <li>- Ferme de Grange</li> <li>- Yogurt Kitchen</li> <li>- La Malterie Plan B</li> <li>- Copains</li> <li>- Bière à la ferme</li> <li>- Semailleset l’Apethimmo</li> </ul>

		<ul style="list-style-type: none"> <li>- Intercommunale pour la Gestion et la Réalisation d'Etudes Techniques et Economiques</li> <li>- Atelier Constant Berger</li> <li>- Cap Terre</li> <li>- Allard</li> <li>- Commune de Rendeux</li> <li>- Hors-Circuit</li> <li>- Ville de Namur</li> <li>- Meuse@Campagnes</li> </ul>
5	Copy of subsidy orders "Arrêtés de subventionnement" for structuring projects for the 4 sectors (various documents in Fenix)	<p>These documents, dated 13 April 2023 and signed by Minister-President of the Walloon Government and the Minister for the Environment, Nature, Forests, Rural Affairs and Animal Welfare, contains the grant decision for the award of the subsidy allocated to the following beneficiaries:</p> <ul style="list-style-type: none"> <li>- Agricover</li> <li>- Patrimoine de l'Université de Liège, Biowallonie, Accueil Champêtre en Wallonie</li> <li>- Le Centre Wallon de recherches agronomiques</li> <li>- Les Marequiers</li> <li>- Reinette &amp; Co</li> <li>- Biowallonie, structure wallone d'encadrement des modes de production biologique</li> <li>- Groupement d'Arboriculteurs pratiquant en Wallonie les Techniques Intégrées</li> <li>- Pastificio della mamma, Moulins de Statte, Walagri</li> <li>- Groupe d'Action Locale Condroz-Famenne</li> <li>- Organic Sowers</li> <li>- Regenacterre, Gal Culturalité en Hesbaye Brabançonne</li> </ul>
6	T[189] vade-mecum	<p>This document, dated 15 July 2022 and emitted by the Sustainable Development Department of the Walloon Public Service and validated by the Walloon Government, contains the framework and terms of the calls for projects No. 1 (the creation of 30 small-scale infrastructures), No. 2 (4 larger structuring projects for the 4 sectors (fruits, vegetables, cereals, vegetable proteins)), and No. 3 (5 critical infrastructures). It contains the context,</p>

		objectives, means, etc of the calls for projects, and as annexes the three calls for projects as published on 6 September 2022 on the Walloon Public Service website.
7	T[189] Note-au-Gouvernement-wallon-preselection	This document, emitted by the Walloon Government and dated 21 December 2022, contains the pre-selection of projects following calls for projects No. 1 (the creation of 30 small-scale infrastructures), No. 2 (4 larger structuring projects for the 4 sectors (fruits, vegetables, cereals, vegetable proteins)) and No. 3 (construction of 5 critical infrastructures).
8	T[189] 1.12 – Notification- du-Gouvernement-wallon-preselection	This document, signed by the Secretary of the Walloon Government, contains the official notification of pre-selection of 21 December 2022 of projects following the call for projects No.1 (the creation of 30 small-scale infrastructures), No.2 (structuring projects for the 4 sectors (fruits, vegetables, cereals, vegetable proteins)) and No.3 (construction of 5 critical infrastructures).
9	T[189] Justification des projets AP2	This document, dated 5 May 2023 and emitted by the Sustainable Development Department of the Walloon Public Service, contains explanation regarding how each of the structuring project selected following the call for projects No.2 supports the development and the production of seeds, seedlings and techniques adapted to climate change and cultivation without phytosanitary inputs.
10	Copy of subsidy orders “Arrêtés de subventionnement” for the construction of 5 critical infrastructures (various documents in Fenix)	These documents, dated 13 April 2023 and signed by Minister-President of the Walloon Government and the Minister for the Environment, Nature, Forests, Rural Affairs and Animal Welfare, contains the grant decision for the award of the subsidy allocated to the following beneficiaries: <ul style="list-style-type: none"> <li>- Jorami and Junitrans</li> <li>- Heritage 1466, Nouvelle ferme Léonard</li> <li>- Moulins de Statte</li> <li>- Land, Farm and Men</li> <li>- Les moulins de Wallonie</li> <li>- Intercommunale de santé publique du pays de Charleroi</li> <li>- Devenirs</li> </ul>

		<ul style="list-style-type: none"> <li>- Interprofession Fruits et Légumes de Wallonie</li> <li>- Coprosain Factory</li> <li>- Meurens Natural</li> </ul>
11	T[189]_3.11-Note rectificative au Gouvernement wallon-m-j-impacts-budgétaires	This document, emitted by the Walloon Government and dated 14 December 2023, contains the approval of the selection of an additional project (Jorami and Junitrans) of the call for projects No. 3 (construction of 5 critical infrastructures).
12	T[189] Updated note to the Flemish Government	This document, signed by the Secretary of the Walloon Government, contains the official notification of 14 December 2023 of the selection of an additional project (Jorami and Junitrans) of the call for projects No. 3 (construction of 5 critical infrastructures).
13	T[189]_pv_jury (various documents in Fenix)	Minutes of jury's meeting, dated 6, 12 and 9 December 2022, assessing the selected projects following the call for projects No.1 (the creation of 30 small-scale infrastructures), No. 2 (4 larger structuring projects for the 4 sectors (fruits, vegetables, cereals, vegetable proteins)), and No. 3 (5 critical infrastructures).
14	[189]_Applicacion form	Document, dated 12 October 2022, emitted by the Walloon Government and filled-in by the project owner of Jorami/Junitrans.

### 3. Analysis:

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

#### **Award of subsidies to 30 small-scale infrastructures, 4 larger structuring projects (one for each sector: fruits, vegetables, cereals, vegetable proteins) and at least 5 pieces of infrastructure.**

The selection of 36 projects following the call for proposal No. 1 regarding the creation of small-scale infrastructures has been approved by the Walloon Government on 13 April 2023 (evidence No. 3). The Belgian authorities submitted copies of 36 subsidy orders for small-scale pieces of infrastructure (evidence No. 4), dated 13 April 2023 and signed by the Minister-President of the Walloon Government and the Minister for the Environment, Nature, Forests, Rural Affairs and Animal Welfare.

The selection of 11 projects following the call for proposal No. 2 regarding structuring projects, including one for each food chain (fruits, vegetables, cereals, vegetable proteins), was approved by the Walloon Government on 13 April 2023 (evidence No. 3). The Belgian authorities submitted copies of 11 subsidy orders for structuring projects (evidence No. 5), dated 13 April 2023 and signed by the Minister-President of the Walloon Government and the Minister for the Environment, Nature, Forests, Rural Affairs and Animal Welfare.

The selection of 10 projects following the call for proposal No. 3 regarding the construction of critical infrastructures was approved by the Walloon Government on 13 April 2023 (evidence No. 3 and evidence No. 11). The Belgian authorities submitted copies of 10 subsidy orders for critical infrastructures (evidence No. 10), dated 13 April 2023 and signed by the Minister-President of the Walloon Government and the Minister for the Environment, Nature, Forests, Rural Affairs and Animal Welfare.

**Furthermore, in line with the description of the measure, the 30 small-scale pieces of infrastructure will be created to support the production, the storage, the transport and the small-scale processing of products coming from four food chains (fruit, vegetables, cereals and vegetable proteins).**

The selection of the projects under the call for projects No. 1 was done based on, among others, the following cumulative criteria (evidence No. 6, page 10) :

- Projects are part of at least one of the four food chains (fruit, vegetables, cereals and vegetable proteins), but it can also include a new segment in a sector or a missing link in an already existing sector's segment.
- Infrastructure projects. In particular, they need to include
  - the construction of a building and its equipment;
  - or the purchase of a building and equipment;
  - or the fitting out of an existing building and its equipment;
  - or the construction or purchase of a mobile infrastructure, and its equipment.

Therefore, based on the selection criteria listed above and the description of the selected projects (evidence No. 4), the latter support

- the production by, among others, establishing infrastructure and equipment aimed to improve the production (projects 62, 135, 20, 95, 3, 143);
- the storage by, among others, supporting the creation of storage spaces such as silos (projects 92, 43, 41, 30, 61, 63, 14, 42, 72, 59, 40);
- the transport by, among others, supporting the establishment of logistic platforms (projects 123, 147, 52);
- the small-scale processing by, among others, establishing infrastructure and equipment aimed to support processing covering for example sorting, cleaning, drying, packaging ... (projects 141, 62, 41, 30, 123, 61, 67, 72, 74, 25, 115, 107, 145, 68, 59, 147, 97, 40, 129)

of products coming from four food chains. The list below describes 30 (as required by the CID measure description) out of 36 projects selected.

- Project 141 – *Transformaé* aims to support the construction of a building for processing space, including fine sorting and packaging equipment in order to offer local products from agroecology directly to consumers. This building will also support the implementation of different cereal and vegetable protein sectors (evidence No. 4). As per its description, this project supports the processing of products from two food chains, namely, cereals and vegetable proteins.
- Project 92 – *Terre du Val - Réseau local de stockage et de transformation dans le cadre du programme wallon Farm For Good* aims to support the extension of the space for the storage of cereals and vegetable proteins from local farmers and members of the Farm For Good network (evidence No. 4 ). As per its description, this project supports the storage of products from two food chains, namely, cereals and vegetable proteins.
- Project 43 – *Moulin du Val-Dieu - Farine panifiable à base de blé de force et de protéagineux ; développement d'une filière en Wallonie* aims to develop a wheat production chain to avoid the addition of gluten or the purchase of non-local flours. *Moulins de Val-Dieu* support the build of

storage silos, the acquisition of an optical sorter and a seed sorter, ... (evidence No. 4). As per its description, this project supports the storage of products from two food chains, namely, cereals and vegetable proteins.

- Project 139 - *Bio de la Botte - Triage MOBILE BIO en Botte du Hainaut* to support the acquisition of cereals and vegetable proteins sorting platform, also to favour the production for human consumption (evidence No. 4). As per its description, this project supports the production and processing of products from two food chains, namely, cereals and vegetable proteins.
- Project 41 – *Société Coopérative Agricole de la Meuse - Réseau de dépôts de céréales et oléo-protéagineux biologiques SCAM-SCAR* aims to support the development and upgrading of a collection and storage network (sorting, cleaning, ventilation, drying, ...) for organic cereals and oil seeds (evidence No. 4). As per its description, this project supports the storage and processing of products from two food chains, namely, cereals and vegetable proteins.
- Project 135 – *Les Moulins de la Ferme Fourmanoy* aims to support the adaptation of existing equipment to increase annual flour production from local cereals. In practical terms, the investment concerns milling logistics equipment, as well as storage and commercialisation areas. The project also includes the power generation required to run the plant (evidence No. 4). As per its description, this project supports the production, storage and processing of products from one food chain, namely, cereals.
- Project 63 – *Moulin de Tongrinne New Bio Mill* aims to support the construction and installation of artisanal milling plant to address the needs of all users in the organic sector. The raw materials used will be 100% organic cereals produced in Wallonia (evidence No. 4). As per its description, this project supports the storage and processing of products from one food chain, namely, cereals.
- Project 20 - *Société agricole Debouge & enfants - Ferme qui bouge - Moulin 0 Gluten* aims to support the setting-up of Belgium's first gluten-free and organic milling plant using regenerative cereals. It involves the construction of a building dedicated to the processing and the creation of a cooperative bringing together farms, bakers, specialized wholesalers and organic stores (evidence No. 4). As per its description this project supports the production of products from one food chain, namely, cereals.
- Project 30 – *Ateliers de Pontauray - Plateforme circuit court de l'EntreSambre-et-Meuse, du producteur au consommateur* aims to support the setting-up of a platform for short distribution channels, including a central storage area, assembly and order-picking of local products for B2C and B2B segments, commercialisation of these products, a facility for cleaning the vegetables before processing, and kitchen facilities for processing products to facilitate their distribution to consumers, a community kitchen and a didactic educational restaurant for training people who are far from employment (evidence No. 4). As per its description, this project supports the storage and processing of products from four food chains (evidence No. 4), namely, fruit, vegetables, cereals and vegetable proteins.
- Project 123 – *La Coop Alimentaire - Développement et structuration d'une filière fruits et légumes bio en Wallonie picarde* aims to support the implementation of a logistic platform for the distribution of fruits and vegetables. It also covers the installation of a kitchen and canning facility to support the commercialisation of products (evidence No. 4). As per its description, this project supports the transport and processing of products from two food chains, namely, fruit and vegetables.
- Project 61 – *La Ferme de l'Abreuvoir* aims to support the fitting-up and equipping a building with a reception, sorting, drying and storage unit for cereals. Installation of a proofing chamber for the bakery, to improve production capacity and better address distribution needs and renovation of

an agricultural shed (evidence No. 4). As per its description, this project supports the storage and processing of products from one food chain, namely, cereals.

- Project 14 – *C Tout Bon - Projet de construction d'un bâtiment agricole de stockage avec bureau pour une activité de production et de distribution de produits BIO* aims to support the construction of an agricultural storage building with cold storage facilities for preserving, sorting and commercialising organic fruit and vegetables from local producers (evidence No. 4). As per its description, this project supports the storage of products from two food chains, namely, fruit and vegetables.
- Project 67 - *Agricoeur Pôle Circuit Court* aims to set-up an ecosystem and a multi-purpose infrastructure for the transformation of local products. As per its description, this project supports the processing of products from three food chains (evidence No. 4), namely, fruit, vegetables and cereals.
- Project 42 – *In BW Association Intercommunale - Ecosystème de relocalisation alimentaire « Sur le Champ »* aims to support the installation of a vegetable and fruit washing facility, and the installation of five cold rooms (evidence No. 4). As per its description, this project supports the storage of two food chains, namely, fruit and vegetables.
- Project 72 – *Ferme de la Grange - MouliGrange: Relocalisation de la transformation céréalière de l'agriculture biologique de conservation* aims to support the fitting-up of a grain and flour storage facility, equipped with cleaning and drying tools, and handling equipment. The project also includes the installation of a second mill (evidence No. 4). As per its description, this project supports the processing and storage of cereals.
- Project 95 - *Yogurt Kitchen/Fournipac/Fromagerie Regal - Le Vallon Wallon* aims to support the development of a production unit of plant-based yogurt, based on vegetable proteins (evidence No. 4). As per its description, this project supports the production of vegetable proteins.
- Project 74 – *La Malterie Plan B - Développement d'une infrastructure de maltage axée sur le circuit-court* aims to support the development of a malting infrastructure of cereals (evidence No. 4). As per its description, this project supports the processing of one food chain, namely, cereals.
- Project 3 – *Copains - Infrastructure de boulangerie conventionnelle et bio à Fernelmont* aims to support the development of a bakery infrastructure for the production of 100% local breads and “zero additives” (evidence No. 4). As per its description, this project supports the production of bread, covering one food chain, namely, cereals.
- Project 25 – *Bière à la ferme* aims to support the setting-up of a micro-malting plant (evidence No. 4). As per its description, this project supports the processing of cereals.
- Project 143 – *Semailles/L'Apethimmo - Semences et plants de chez nous* aims to support the implementation of an infrastructure necessary for the production of seedlings and vegetables plants (evidence No. 4). As per its description, this project covers the production of products from one food chain, namely, vegetables.
- Project 115 – *Atelier Constant Berger - Développement du centre de transformation de fruits* aims to support the adaptation and optimisation of apple processing plant (evidence No. 4). As per its description, this project supports the processing of fruit.
- Project 107 – *Cap terre - Atelier de transformation partagé* aims to support the installation of processing workshop for surplus, uncalibrated organic vegetables and installation of equipment for the transformation of cereals into flour (evidence No. 4). As per its description, this project supports the processing of vegetables and cereals.
- Project 145 – *Hors-Circuit - Container mobile de transformation d'invendus/invendables* aims to support the implementation of a mobile workshop for washing, cutting, processing and packaging

of unmarketable/ unsold vegetables (evidence No. 4). As per its description, this project supports the processing of vegetables.

- Project 68 – *Jardins d’Arthey - Ferme des Arondes* aims to support the construction and improvement of existing infrastructure for storage and processing of cereals and vegetables (evidence No. 4). As per its description, this project supports the storage and processing of cereals and vegetables.
- Project 59 – *Commune de Rendeux - Aménagement d'une halle rurale dans le centre de Rendeux* aims to support the construction of a hall to accommodate processing, storage and commercialisation of products from several local producers (evidence No. 4). As per its description, this project supports the processing and storage of products from four food chains, namely, fruit, vegetables, cereals and vegetable proteins.
- Project 147 - *Allard - WellCoop- Création d'un centre de distribution-transformationlogistique couplé à un magasin et à une ferme à Genappe en centre Brabant Wallon* aims to support the development of distribution/ processing/logistic centre of local products coupled with production activities and an organic market (evidence No. 4). As per its description, this project supports the processing and transport of fruit and vegetables.
- Project 97 – *Agronuts - Développement d'une filière wallonne de noisettes, de la plantation à la transformation* aims to support the development of a processing unit both for the hazelnuts grown by the company and for hazelnuts produced by partners (evidence No. 4). The processing operations include cleaning, drying, sorting, shelling, roasting, crushing, etc. As per its description, the project supports the processing of products from one food chain, namely fruit.
- Project 52 - *Ville de Liège/Horizon PAAC - HORIZON CIRCUIT COURT* aims to support the development of a building located at the entrance to the morning market in Liège to operationalise a key logistics hub ( evidence No. 4). As per its description, the project supports the transport of products from four food chains, namely, fruit, vegetables, cereals and vegetable proteins.
- Project 40 – *Les 4 fermes* aims to support the construction of an infrastructure including raw material storage, sorting and drying areas, packaging and storage of finished products (evidence No. 4). As per its description, the project supports the storage and processing of cereals and vegetable proteins.
- Project 129 – *Eco.Culture - Plateforme mutualisée physique (et informatisée)* aims to support the setting-up of a workshop for washing, cutting and packaging of vegetables (evidence No.4). As per its description, the project supports the processing of vegetables.

**Furthermore, in line with the description of the measure, it shall also include four projects, one for each food chain, to support the development and the production of seeds, seedlings and techniques adapted to climate change and cultivation without phytosanitary inputs.**

The selection of the projects under the call for projects No. 2 was done based on, among others, the following cumulative criteria (evidence No. 6, page 16) :

- Projects are part of at least one of the four food chains (fruit, vegetables, cereals and vegetable proteins).
- Projects to support the structuring of the sector or segment through the implementation of services, projects need to support the creation of lasting connections between the different links in the sector (or a segment of it). The entry point(s) for this support can be and ideally combined with each other: research and development, carrying out studies, developing prototypes or tests, advice/support, [...].

The projects listed below are structuring projects, which cover four food chains (fruit, vegetables, cereals and vegetable proteins) and support the development and the production of seeds, seedlings and techniques adapted to climate change and cultivation without phytosanitary inputs.

- Project 111 – *Regenacterre/ GAL Culturalité en Hesbaye Brabançonne - Nourrir autrement Phase 2* focuses on soil regeneration and the fight against climate change by supporting farmers in cereal and vegetable protein sectors, committed to the transition to agroecological, organic and regenerative practices, by developing virtuous agricultural practices (evidence No. 5). In addition, the regenerative agriculture practices are based on the reduction of phytosanitary products (evidence No. 9). This project is structuring because it consists in supporting farmers in the cereals and vegetable proteins sector in developing virtuous agricultural practices. In addition, this project relates to three food chains, namely, vegetables, cereals and vegetable proteins (evidence No. 5).
- Project 122 – *Reinette & Co - Reinette & CO: Bring fruits to life!* aims to develop various services for fruit producers. These services include planning, harvesting, storage, transport, processing and commercialisation of fruit and derivatives, by making the appropriate tools available to the sector (e.g. Harvester, HR, cold chambers, workshops, administrative support, etc). As climate change is likely to increase the frequency of episodes of drought and strong winds/storms, the tall fruit trees involved in the project are more resistant because they have a very powerful root system that anchors the trees in the soil in depth (evidence No. 9).  
Overall, this project supports the development of production techniques without phytosanitary products and adapted to climate changes in the fruits chain. This project is structuring as it relates to the delivery of services to producers. In addition, this project relates to one of the four food chains, namely, fruit (evidence No. 5).
- Project 108 – *Les Marequiers - Réseau wallon de production de semences de légumes et de sélection variétale* aims to train and support farmers in the production of organic vegetable seeds, to define a fair purchase price and to initiate Walloon varietal selection. This project is based on a broad partnership between several research centres, support actors, an organic seed company and a network of farmers. As per its description, this project supports the development and production of seeds in the vegetables chain. In addition, the production of organic seeds implies a reduction of the use of phytosanitary products (evidence No. 9). This project is structuring because it consists in providing information and advices to farmers. In addition, this project relates to one of the four food chains, namely, vegetable (evidence No. 5).
- Project 89 - *Centre wallon de Recherches Agronomiques - Soutenir le développement d'une nouvelle filière basée sur la production de blé dur en Wallonie* aims to support the development of a new sector in Wallonia based on local production of durum wheat ("blé dur"), in view of present and future climate changes. The project incorporates economic, technical and environmental approaches in order to provide to the cereals chain essential information to remove the identified barriers, elements concerning the potential of the Walloon market and the assessment of the environmental impact of the chain. The project supports the development and production of seeds and seedlings by providing results of varietal screening trials under Walloon conditions in the durum wheat, as well as multi-local durum wheat evaluation trials and phytotechnical trials. This project also aims to work on the production of organic durum wheat, for which no phytosanitary product is allowed and storage tending towards 0 residues (evidence No. 9).

This project is structuring because it relates to R&D and the carrying out of studies and trials in order to support the development of a new sector in Wallonia based on the local production of durum wheat, in view of present and future climate change. In addition, this project relates to one of the four food chains, namely, cereals (evidence No. 5).

**Furthermore, in line with the description of the measure, it shall be complemented by the construction of critical infrastructure (at least five pieces of infrastructure of which one storage hall, one mill, one fruit/vegetables transformation unit and one BtoB storage hall and market place), which shall contribute to the deployment of the sustainable agri-food chain throughout the Walloon Region.**

The selection of the projects under the call for projects No. 3 was done based on, among others, the following cumulative criteria (evidence No. 6, page 21):

- Infrastructure projects. In particular, they need to include
  - the construction of a building and its equipment;
  - or the purchase of a building and equipment;
  - or the fitting out of an existing building and its equipment;
  - or the construction or purchase of a mobile infrastructure, with its possible and its equipment.
- Projects of critical importance to the sector concerned. In particular, tools developed will be larger in their dimension (compared to projects of the call for projects No. 1), they will focus on bigger production volumes and will have a regional scope. These infrastructures will contribute to boost the entire value chain by directly or indirectly benefiting a large number of actors [...].

The selected projects include one storage hall, one mill, one fruit/vegetables transformation unit and one BtoB storage hall and market place (evidence No. 10).

- Project 12 – *Moulins de Statte* aims to support the complete modernisation of a mill, so that the production of local flours responds to the new health, quality and sustainability requirements in a highly competitive grain market. The new equipment will make it possible to optimise the quality of the flours, greater flexibility in production, reduced energy consumption and increase local supply. Based on the definition of the vade-mecum (evidence No. 6) and the description of the project, the critical nature of this investment is justified, among other, by the fact that it is the only industrial player in the milling industry in Wallonia . The mill is sourced locally, respects agri-environmental measures to promote biodiversity and aims to reduce the energy consumption (evidence No. 10). Therefore, this project results contributing to the deployment of the sustainable agri-food chain throughout the Walloon Region.
- Project 90 – *Coprosain Factory - Easy Coprosain Logistic* relates to the construction of a regional distribution centre for the development and promotion of small Walloon producers, who develop sustainable products. The infrastructure will consist of several workshops for the processing of agricultural raw materials including fruit and vegetables. Therefore, this project includes a fruit and vegetables transformation unit. Based on the definition of the vade-mecum (evidence No. 6) and the description of the project, the critical nature of this investment is justified, among other, by its regional scope. The producers concerned by this project are those who focus on local raw materials and short supply chain (evidence No. 10). Therefore, this project results contributing to the deployment of the sustainable agri-food chain throughout the Walloon Region.
- Project 105 – *Interprofession Fruits et Légumes de Wallonie - WalHorti* aims to build a new multi-purpose and multimodal infrastructure for fruit and vegetable sectors in Wallonia. It will provide producers with a BtoB storage hall and a market place. Based on the definition of the vade-mecum

(evidence No. 6) and the description of the project, the critical nature of this investment is justified, among other, by its regional scope (as it covers the whole Walloon Region). The project aims to centralise the horticultural production of fruits and vegetables in Wallonia to improve their commercialisation at the regional level, thereby enhancing the availability of local products to consumers. It also aims to bring research and development closer together, allowing for the optimisation of research and support for producers (evidence No. 10). Therefore, this project results contributing to the deployment of the sustainable agri-food chain throughout the Walloon Region.

- Project 6 – *Jorami/Junitrans* aims to support the construction of a logistics platform, including among others cold rooms, for the stockage and then the distribution of food products with the objective of significantly increasing the share of local and seasonal products in the supply of public and private authorities in the Walloon Region (evidence No. 14). Therefore, the infrastructure relates to a storage hall. Based on the definition of the vade-mecum (evidence No. 6) and the description of the project, the critical nature of this investment is justified, among other, by its regional scope and its dimension.
- Project 49 – *Land, Farm and Men - Relocalisation des filières de transformation* aims to support the establishment of a unit for sorting and processing of cereals and vegetable proteins. The project is expected to have a regional influence, including 40 producers. Based on the definition of the vade-mecum (evidence No. 6) and the description of the project, the critical nature of this investment is justified, among other, by the fact it aims to support numerous producers. The associated crops need to present an advantage for soil improvement, decreased used of agricultural inputs, etc (evidence No. 10). Therefore, this project results contributing to the deployment of the sustainable agri-food chain throughout the Walloon Region.

**Furthermore, in line with the description of the measure, in order to ensure that the measure complies with the ‘Do no significant harm’ Technical Guidance (2021/C58/01), the eligibility criteria contained in terms of reference for upcoming calls for projects shall exclude the following list of activities: (i) activities related to fossil fuels, including downstream use; (ii) activities related to waste landfills, incinerators and mechanical biological treatment plants<sup>15</sup>; and (iii) activities where the long-term disposal of waste may cause harm to the environment. The terms of reference shall additionally require that only activities that comply with relevant EU and national environmental legislation may be selected.**

Each of the three calls for projects included a fourth eligibility criterion regarding the “Contribution of the project to sustainable food, including compliance with the "Do No Significant Harm" principle” (evidence No. 6). In addition, Annex 4 of the Vade-mecum (evidence No. 6) detailed the application of the “Do No Significant Harm” principle. In particular, it listed the activities excluded from the calls for projects such as those related to fossil fuels, including downstream use; activities related to waste landfills, incinerators and mechanical biological treatment plants; and activities where the long-term disposal of waste may cause harm to the environment.

It also stated (Point 2 of the Annex 4: “Respect of the environmental legislation”) that only projects and activities that comply with the environmental legislation may be selected. In particular, projects are required to be aligned with the objectives and provisions of European legislation on the protection of environment (climate change decisions and regulations, Water Framework Directive 2000/60/EC, Directive (EU) 2018/851 amending Directive 2008/98/EC on waste, IPPC Directive 2010/75/EU Industrial Emissions, Habitats and Birds Directives 92/43/EEC and 2009/147/EC, etc.) and Belgian and Walloon legislation that result from it. Selected projects are also required to comply with the objectives and measures of various action plans and programmes drawn up notably in implementation of the European legislation, these plans having also been the subject of a strategic environmental impact.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 193 - Reform of the environmental permit and appeal procedures

**Related Measure:** R-5.06 - Reform - Faster permit and appeal procedures

**Qualitative Indicator:** Publication of a report and government decisions

**Time:** Q4 2022

**1. Context:**

This reform aims at the simplification of the environmental permitting procedures in the Flemish Region, including by introducing conditions on the possibility to appeal decisions. It shall consist in a review of the existing regulation, with the objective to reduce the time needed to process a case and to provide greater legal certainty. At the end of the review, a report shall be published providing an overview of new and reviewed measures. The implementation of the reform shall be completed by 31 December 2022.

The milestone consists in the reform of the environmental permit and appeal procedures. This should be done through the publication of a report endorsed by the Cabinet of the Flemish Minister for Justice, Energy and Tourism providing an overview of new and reviewed measures to simplify administrative procedures related to environmental permit procedures and government decisions.

Milestone 193 is the only milestone of this reform.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Communication to the Flemish Government regarding the concept note on the modernisation of environmental impact assessment ( <i>Conceptnota Modernisering milieueffectrapportage</i> ) from 2 November 2022 Reference: VR 2022 1102 MED.0046/2BIS	This communication introduces the concept note on the modernisation of environmental impact assessment.
2	Annex to the Communication to the Flemish Government: Concept note on the modernisation of environmental impact assessment ( <i>Conceptnota Modernisering milieueffectrapportage</i> ) from 2 November 2022 Reference: VR 2022 1102 MED.0046/2BIS Also published on: <a href="https://omgeving.vlaanderen.be/sites/default/files/2022-03/Conceptnota%20modernisering%20MER%202022.pdf">https://omgeving.vlaanderen.be/sites/default/files/2022-03/Conceptnota%20modernisering%20MER%202022.pdf</a>	The concept note gives an overview of the reviewed and new measures related to environmental impact assessment.
3	Communication to the Flemish Government regarding the concept note on updating the regulation of environmental licensing ( <i>Conceptnota bijsturing van de regelgeving inzake de omgevingsvergunning</i> ) from 2 November 2022 Reference: VR 2022 1102 MED.0045/1TER Also published on: <a href="https://omgeving.vlaanderen.be/sites/default/files/2022-">https://omgeving.vlaanderen.be/sites/default/files/2022-</a>	The concept note gives an overview of the reviewed and new measures related to environmental licensing.

	<a href="#">03/Conceptnota%20omgevingsvergunningendeceet%202022.pdf</a>	
4	<p>Communication to the Flemish Government regarding the concept note on environmental decision (<i>Conceptnota omgevingsbesluit</i>) from 2 November 2022 Reference: VR 2022 1102 MED.0044/1BIS</p> <p>Also published on: <a href="https://omgeving.vlaanderen.be/sites/default/files/2022-03/Conceptnota%20omgevingsbesluit%202022.pdf">https://omgeving.vlaanderen.be/sites/default/files/2022-03/Conceptnota%20omgevingsbesluit%202022.pdf</a></p>	The concept note gives an overview of the reviewed and new measures related to environmental permits.
5	<p>Decree amending the regulations on the single permit regarding the introduction of a modular single permit procedure and the single permit decision (<i>DECREET tot wijziging van de regelgeving betreffende de omgevingsvergunning wat betreft de invoering van een modulaire omgevingsvergunningsprocedure en het omgevingsbesluit van 17 Mei 2024</i>)</p> <p>Also available on: <a href="https://etaamb.openjustice.be/nl/decreet-van-17-mei-2024_n2024007493">https://etaamb.openjustice.be/nl/decreet-van-17-mei-2024_n2024007493</a></p>	The decree amends the regulations on the single environmental permit procedures.
6	<p>Decree amending the decree of 5 April 1995 laying down general provisions on environmental policy and various other decrees on environmental impact assessment (<i>DECREET tot wijziging van het decreet van 5 april 1995 houdende algemene bepalingen inzake milieubeleid en diverse andere decreten, wat betreft de milieueffectrapportage van 17 Mei 2024</i>)</p> <p>Also available on: <a href="https://etaamb.openjustice.be/nl/decreet-van-17-mei-2024_n2024007593">https://etaamb.openjustice.be/nl/decreet-van-17-mei-2024_n2024007593</a></p>	The decree amends provisions on environmental policy and environmental impact assessments.

### 3. Analysis:

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

**Publication of a report endorsed by Cabinet van Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism providing an overview of new and reviewed measures to simplify administrative procedures related to environmental permit procedures and government decisions.**

The Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism published three concept notes on the website of the Ministry for the Environment of the Flemish Region on 2 November 2022. Together, they constitute a report endorsed and published by the Minister.

The first concept note by the Flemish government concerns **the modernisation of environmental impact assessment (EIA)** (evidence no. 2). Section 1 of the concept note reviews existing relevant rules and identifies how they should be adapted, for instance through the simplification of the screening of projects which require an EIA (page 3) or through a more targeted approach in the definition of the scope of an

EIA (page 4). New measures are also identified such as the development of a series of digital services including a screening tool, a scoping tool, an online impact forecasting tool and a digital EIA tool (page 7). Section 2 provides an overview of the priority measures which includes amending the Decree on General Provisions on Environmental Policy, developing digital services and the establishment of an expertise centre (page 8).

The second concept note by the Flemish government concerns the **updating of the regulation on environmental permit procedure** (evidence no. 3). Section 1.2 of the concept note details the review of the existing Environmental Permit Decree. Section 2 presents the conclusions of this evaluation: it identifies areas that can be optimised and includes proposals to do so (page 4). Section 3 gives an overview of the revisions to the Decree which are warranted and mentions that the introduction of conditions under which no administrative appeals would be possible is being explored (page 10). Section 4 specifies that the regulations on environmental licensing (Decree and implementing Decrees) will be adapted based on the elements in this paper.

The third concept note by the Flemish government presents the **“environmental decision”**, which is a new measure that aims to speed up the conduct of socially relevant projects through the rezoning or modification of urban development regulations (evidence no. 4). The concept note mentions that currently the repurposing of empty premises can be hampered if the area is designated as an “industrial area” as in such case, the government must amend the zoning plan and then issue a permit. Page 3 mentions that the environmental decision is an integrated act that includes both planning requirements and a permit section for a given site. The aim of the new measure is the simplification of the environmental permit procedures in the Flemish Region (page 5).

The concept notes were accepted by the Flemish government on 2 November 2022 and were **published** on the website of the Ministry for the Environment of the Flemish Region.

Subsequently, the Flemish Parliament adopted two decrees, amounting to **government decisions**:

- 1) A first Decree amending the regulations on the single permit regarding the introduction of a modular single permit procedure and the single permit decision from 17 May 2024 (evidence no. 5). This decree was confirmed by the Flemish government on 17 May 2024.
- 2) A second Decree amending the decree of 5 April 1995 laying down general provisions on environmental policy and various other decrees on environmental impact assessment from 17 May 2024 (evidence no. 6). This decree was confirmed by the Flemish government on 17 May 2024.

The decrees and their ratification by the government were published on the website of the Flemish government.

**Furthermore, in line with the description of the measure, this reform aims at the simplification of the environmental permit procedures, including by introducing conditions on the possibility to appeal decisions. It shall consist in a review of the existing regulation, with the objective to reduce the time needed to process a case and to provide greater legal certainty. At the end of the review, a report shall be published providing an overview of new and reviewed measures.**

Following the review of the existing regulation, the reform amended the regulation on the environment permit procedures and general provisions on environmental policy and environmental impact assessments. In line with the description of the measure, the decree amending the regulations on the single permit (evidence no. 5) introduces conditions on the possibility to appeal decisions which can be found in Articles 69 to 86. The three concept notes providing an overview of the new and reviewed

measures and the government decisions in the form of the decrees were published on the website of the Ministry for the Environment of the Flemish Region.

**Furthermore, in line with the description of the measure, the implementation of the reform shall be completed by 31 December 2022.**

The Council Implementing Decision required that the implementation of the reform shall be completed by 31 December 2022. The three concept notes providing an overview of new and reviewed measures to simplify administrative procedures related to environmental permit procedures were completed by 2 November 2022 while the two decrees were approved on 17 May 2024. Whilst the date of approval of the decrees constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, this can be justified by the number of steps required towards the approval of a decree and does not affect the progress towards the achievement of the reform that the milestone represents. As of this, this minimal deviation does not affect the progress towards achieving the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 194 – Reform of the regulation for innovation support

**Related Measure:** R-5.07 – Broadening innovation base

**Qualitative Indicator:** Publication of a report and related government decisions

**Time:** Q4/2022

**1. Context:**

This reform aims at ensuring that the existing instruments do not put constraints on the access to innovation subsidies by SMEs. It shall consist in a review of the existing instruments aimed at stimulating innovation that is more easily accessible and adapted to the needs of SMEs.

Milestone 194 requires a report to be published providing an overview of new and reviewed measures.

Milestone 194 is the only milestone of this reform. The reform has a final expected date for implementation on 31 December 2022.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	Report [Annex 1. Rapport verbreding innovatiebasis]	The report explains the initiatives that have been adopted to widen the innovation basis
3	Minister endorsement (Annex 2)	The document contains the endorsement of the report by the minister of Economy, Employment, Innovation and Agriculture
4	Annex 3.c.i	Decision of the Flemish minister for Economy, Innovation, Labour, Social Economy and Agriculture
5	Annex 1.3.b.ii beslissingfiche	Decision of the Flemish government
6	Annex 1.3.b.ii nota	Proposal of the Flemish minister for Economy, Innovation, Labour, Social Economy and Agriculture
7	Annex 1.3.b.iii VR	Decision of the Flemish government to award a subsidy to the Flemish Council of Higher Education Institutions
8	Annex 1.3.b.iii 2021	Decision of the Flemish government to award a subsidy to the Flemish Council of Higher Education Institutions
9	Annex 1.3.b.iii 2020	Decision of the Flemish government to award a subsidy to the Flemish Council of Higher Education Institutions

**3. Analysis:**

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

**Publication of a report endorsed by Flemish minister of Economy, Innovation, Work, Social economy and Agriculture providing an overview of new and reviewed measures to improve access for SMEs to measures for innovation support**

Belgium has submitted a report (evidence n. 2) produced by VLAIO (the Flemish agency for innovation and entrepreneurship) providing an overview of new and reviewed measures to improve access for SMEs to measures for innovation support.

The report was submitted on 23 November 2023 to the Flemish Minister for Economy, Innovation, Work, Social economy and Agriculture, which endorsed it on 1 December 2023 (evidence n. 3). The report has been published on the VLAIO website, and has been made accessible to any interested readers. The report is accessible to the following link: <https://www.vlaio.be/nl/media/2481>.

The report provides an overview of new and reviewed measures to improve access for SMEs to measures for innovation support in Flanders. The first two chapters provide an introduction as well as a brief explanation of the policy context of the widening of the innovation base. Furthermore, the report provides a description on a number of initiatives taken by the Flemish Government to widen the innovation base. These initiatives concern new initiatives to widen the innovation basis; changes to existing schemes to widen the innovation basis, subsidy programs that have been revamped to make them more accessible to Flemish entrepreneurs. In chapter 3 of the VLAIO report the different measures are described in more details and grouped into 3 categories. The first category concerns new initiatives to widen the innovation basis; the second category concerns changes to existing schemes to widen the innovation basis, and the third category concerns a revamp of existing schemes to make them more accessible to Flemish entrepreneurs. Under the first categories two measures are described, which relate to a support instrument for carrying out feasibility study for innovation and to an innovative aid to start-up companies. Under the second category, the report refers to measures to extend the guidance for support for SMEs, to promote “innovation acceleration” in contract entrepreneurship and to improve the knowledge transfer between higher education institutions and companies (Blikopener). Within the third category, the report describes amendments to the “SME portfolio” instruments, which will make the instrument better targeting relevant policy priorities, such as encouraging small business to innovate.

Furthermore, in line with the description of the measure, the report describes how based on the review of the existing instruments aimed at stimulating innovation, new instruments have been introduced and existing instruments have been modified to make them more easily accessible and adapted to the need of SMEs. As an example of the latter, the report mentions the ‘entrepreneurship contract’, the scope of which has been widened to include more services to professionalise and innovate the operation of enterprises through knowledge transfer and exchange of experience and accelerate the introduction/implementation of already proven innovations. Another example of an existing measure that has been reviewed and modified to make it more easily accessible and adapted to the needs of SMEs is the initiative ‘Blikopener’, which aims at promoting the exchange of knowledge between higher education institutions and companies. Another example is the SME portfolio instrument, which was reformed in 2022 to make it a tool better targeted at a number of key policy priorities such as encouraging small enterprises to innovate and strengthen knowledge.

***and the related government decisions***

Belgium has provided evidence of government decisions related to the different initiatives mentioned in the VLAIO report of December 2023.

With regard to the initiative ‘Hervorming kmo-groeisubsidie’, mentioned in the Report at page 17, a decision of the Minister of Economy, Innovation, Labour, Social Economy and Agriculture, has modified the small SME subsidy program from a continuous initiative to a thematic one following a project call cycle, in order to better accommodate the needs of SMEs. The decision has been published in the Official Journal of 5 January 2023 (see evidence n. 4).

With regard to the initiative “Perceel ‘innovatieversnelling’ in contract ondernemerschap”, mentioned in the Report at page 10, on a proposal by the Flemish Minister for Economy, Innovation, Labour, Social Economy and Agriculture (evidence n. 6), the Flemish government with a decision of 26 June 2020 (evidence n. 5) enlarged the VLAIO Network to improve access to information and guidance with regards to innovation in Flanders.

With regard to the initiative ‘Blikopener’, the Flemish government has taken decisions to better distribute knowledge from Flemish university colleges (*hogescholen*), as well as providing data from the Flemish business world to improve the applicability of research programs at the university colleges. With decisions of 18 February 2022 (evidence n. 7), of 12 February 2021 (evidence n. 8) and 12 June 2020 (evidence n. 9), the Flemish government awarded a subsidy to the Flemish Council of Higher Education Institutions for the implementation of the project for respectively years 2022, 2021 and 2020.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 195 - Adoption of the Regional Strategy for Economic Transition

**Related Measure:** R-5.08 - Brussels Regional Strategy for the Economic Transition

**Qualitative Indicator:** Decision of the Government of the Brussels-Capital Region indicating the adoption of the strategy

**Time:** Q1 2022

### 1. Context:

This reform aims to design, at regional level, a strategy for economic transition by mobilising all regional economic policy instruments, achieving a better coordination and cooperation between public actors, as well as active participation of the private sector. Its operational objectives are to be based on the results of 10 working groups. The regional strategy for the economic transition shall set out targets for 2030 and an action plan for five years. It shall be adopted by Decision of the Government of the Brussels-Capital Region by 31 March 2022.

Milestone 195 requires that the “Brussels Region’s strategy for economic transition [be] adopted by the government of the Brussels-Capital Region (*Décision du Gouvernement de la Région de Bruxelles-Capitale*), defining objectives for 2030, based on coordination between public actors and active participation of the private sector, including a five year action plan covering priority areas for action, putting in place a coherent package of public incentives for innovation and favourable for entrepreneurship for the ecological transition.

Milestone 195 is the only milestone of this reform.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	Copy of the decision on the Strategy by the Government of the Region of Brussels-Capital	This document is a notification of the decision taken on the Strategy. It was issued by the Government of Brussels Capital, dated from 31 March 2022, and signed by the Minister of Climate Transition, the Secretary of State in charge of Economic Transition and the Secretary of State in charge of external trade. It summarises the decisions taken during the meeting of the Council of Ministers on 31 March 2022.
3	Copy of the Brussels Region’s Strategy for Economic Transition 2022-2030	This document is the Brussels Region’s Strategy for Economic Transition 2022-2030, which was published in March 2022 on ShiftingEconomy.Brussels ( <a href="#">Shifting Economy En savoir plus - Shifting Economy</a> ).

### 3. Analysis:

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

### **Brussels Region's strategy for economic transition adopted by the government of the Brussels-Capital Region (*Décision du Gouvernement de la Région de Bruxelles-Capitale*):**

As shown in the notification of decision (evidence n°2), during the meeting of the Council of Ministers of 31 March 2022, the **Government of the Brussels-Capital Region adopted the Brussels Region's Strategy for Economic Transition 2022-2030** (evidence n°3). Following the adoption of this decision, the Brussels Region's Strategy for Economic Transition 2022-2030 (evidence n°3), hereafter called the Strategy, was **published in March 2022 on a website dedicated to the strategy** called Shifting Economy Brussels ([Shifting Economy En savoir plus - Shifting Economy](#)).

#### **Defining objectives for 2030:**

Two "landmarks" are defined in the Strategy: a **medium-term landmark in 2030** and a long-term landmark in 2050 (evidence n°3, page 4). The "**vision for 2030**" is detailed on page 5 of the Strategy (evidence n°3), and the "**objectives for 2030**" are defined on page 21, as follows:

- develop a supportive and progressive framework for economic actors so that they can become exemplary socially and environmentally and benefit from the Region's economic incentives by 2030,
- help create high-quality jobs in Brussels,
- present an action plan".

#### **Based on coordination between public actors and active participation of the private sector:**

The Strategy was created **based on the collaboration between public and private actors**. According to the Strategy itself, it was made "collectively with a large number of working groups focused on priority areas for the Region" (evidence n°3, page 25). This process of "**co-construction**" is detailed on section 2, page 25, of the Strategy: "This joint effort to clear the way, refine and converge around policy proposals with a medium- and long-term vision, was carried out by **four administrations**: Bruxelles Environnement, hub.brussels, Innoviris and Bruxelles Économie et Emploi. A total of **280 participants** were involved in this vast project, **including 132 public and private organizations**, including professional and sectoral federations and experts, municipal services, local economy offices, universities, innovative private universities, innovative private initiatives, etc. At the same time, Brupartners organized concertation with social partners." Additionally, it is mentioned in the notification of decision (evidence n°2, page 6) by the Government of Brussels-Capital that "in total, 280 participants in 35 meetings divided into 10 thematic working groups were involved". Therefore, the Strategy is based on coordination between public actors and active participation of the private sector, and 10 working groups.

#### **Including a five-year action plan covering priority areas for action:**

**An introduction to the action plan** is made on pages 27-29 of the Strategy (evidence n°3). The action plan is **framed between 2022 and 2030**, and therefore covers the next five years following the adoption of the Strategy. Following this general introduction, the measures foreseen in the action plan are presented. The Strategy aims to deploy 224 measures, identified by an acronym referring to the priority area of public activity, and a number. The **priority areas**, constituting the framework of the action plan, are as follows:

- **seven economic instruments**: entrepreneurship friendly environment; financing; support; hosting companies; sustainable and innovative public procurement; innovation journey; promoting social and democratic entrepreneurship.
- **four cross-sectoral policies**: access to deposits, local production, and logistics; trade; digitalisation; international trade.
- **six priority sectors**: health; cultural and creative industries; mobility; construction; resource and waste; sustainable food.

For each of these **priority areas**, the current situation, the challenges faced, the strategic axes to follow and the measures to put in place to contribute to the 2030 objectives are detailed from pages 29 to 185 of evidence n°3.

**Putting in place a coherent package of public incentives for innovation and favourable for entrepreneurship for the ecological transition:**

The Strategy details that to achieve the objectives that it sets out, “the government's priority is to **create a favourable environment for entrepreneurship and innovation, particularly entrepreneurship with a positive social and environmental impact, at all stages of a company's existence (creation, stabilization, transmission, transition towards exemplary business models, companies in difficulty)** and whatever the model” (evidence n°3, page 32). Indeed, “the Region, via the Strategy, complements the funding, support and the business hosting already made available by the private sector to enable all economic actors to engage in economic transition”. More specifically, the Strategy presents the following **economic instruments** to support companies in all these different phases of a company’s existence (evidence n°3, page 31-97):

- “development of an ecosystem favourable to entrepreneurship,
- financing,
- support,
- business hosting,
- innovative, sustainable, and pro-SMEs procurement,
- research development and innovation,
- promotion of social and democratic entrepreneurship.”

This list of economic instruments can be considered as a “coherent package of public incentives” because they cover the different needs of all the stages of a company’s existence and complements the support already provided by the private sector. Additionally, the economic instruments “innovation, sustainable, and pro-SMEs procurement” and “research development and innovation” promote “innovation”. The economic instrument “development of an ecosystem favourable to entrepreneurship” aims at creating public incentives that are “favourable for entrepreneurship”.

**Furthermore, in line with the description of the measure, the reform’s “operational objectives are to be based on the results of 10 working groups”.** The reform was based on the work of 10 working groups as mentioned in the notification of decision (evidence n°2, page 6) by the Government of Brussels-Capital “in total, 280 participants in 35 meetings divided into 10 thematic working groups were involved”.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Target:** 197 - Award of six public contracts for recycling facilities

**Related Measure:** I-514 - Recycling hub

**Quantitative Indicator:** Facilities

**Baseline:** 0

**Target:** 6

**Time:** Q4 2022

**1. Context:**

Target 197 is part of the measure I-5.14: 'Recycling Hub' of the Flemish Region, which aims to realise at least six investments in new recycling facilities, focusing on missing links in a number of value chains to enable local circular production, such as the recycling of nappies, mattresses, textiles, plastic and chemicals.

Target 197 concerns the selection and award of six public contracts for recycling facilities through a competitive call for proposals, with terms of reference including eligibility criteria that ensure that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and a requirement of compliance with the relevant EU and national environmental legislation. Projects shall be selected by a jury and confirmed by the Flemish Minister for Environment.

Target 197 is the first step of the implementation of this investment. It will be followed by target 198: 'Completion of works in six recycling facilities'. The investment has a final expected date for implementation by 30 June 2026.

**2. Evidence provided:**

	Name of the evidence	Short description
1	Cover note	Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the CID annex) was satisfactorily fulfilled.
2	Link to the call: <a href="https://ovam.vlaanderen.be/vlaanderen-als-recyclagehub">https://ovam.vlaanderen.be/vlaanderen-als-recyclagehub</a>	Link to the call
3	Decree by the Flemish Government of 3 September 2021 (VR 2021 0309 VV DOC.0136/1)	Decree setting general eligibility criteria for the subsidy, the applicable state aid rules, and conditions for possible recovery of the subsidy. Published in Belgian Official Journal on September 9, 2021.

	BE-C[C53]-I[I-514]-T[197] _Annex_1__BVR__Nota_VR_Recyclagehub	
4	Decree by the Flemish Government of 3 September 2021 (VR 2021 0309 VV DOC.0136/2BIS)  BE-C[C53]-I[I-514]-T[197] _Annex_2__BVR__Decree_Recyclagehub	Decree containing the conditions that companies and investments must meet to be eligible for subsidy, the scope of the support mechanism, the procedure for assessment of the submitted dossiers, the modalities for payment of the subsidy and conditions for possible recovery of the subsidy. Published in Belgian Official Journal on September 9, 2021.
5	Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 20 October 2021  BE-C[C53]-I[I-514]-T[197] _Annex_3__MB_call_1_Recyclagehub	Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism, containing the call period and the amount of the first call
6	Manual for the call for projects by OVAM (Public Waste Agency) of 21 October 2021  BE-C[C53]-I[I-514]-T[197] _Annex_4__Manual_call_1	Manual for the first call, containing the terms of reference, DNSH conditions and procedural steps
7	Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 April 2022  BE-C[C53]-I[I-514]-T[197] _Annex_5__Decision_call_1	Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism selecting six projects in the first call
8	Grant Decisions by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 April 2022  Annexes 6 - 11: <ul style="list-style-type: none"> <li>• BE-C[C53]-I[I-514]-T[197] _Annex_6__MB_Indaver_P2C</li> <li>• BE-C[C53]-I[I-514]-T[197] _Annex_7__MB_Laupat</li> </ul>	Grant Decisions by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism awarding subsidies to each of six successful candidates in the first call

	<ul style="list-style-type: none"> <li>• BE-C[C53]-I[I-514]-T[197] _Annex_8__MB_RetourMatras</li> <li>• BE-C[C53]-I[I-514]-T[197] _Annex_9__MB_Trinseo</li> <li>• BE-C[C53]-I[I-514]-T[197] _Annex_10__MB_IGEAN</li> <li>• BE-C[C53]-I[I-514]-T[197] _Annex_11__MB_Galloo</li> </ul>	
9	<p>Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 23 May 2022</p> <p>BE-C[C53]-I[I-514]-T[197] _Annex_12__MB_call_2_Recyclagehub</p>	Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism, containing the call period and the amount of the second call
10	<p>Manual for the call for projects by OVAM (Public Waste Agency) of 30 May 2022</p> <p>BE-C[C53]-I[I-514]-T[197] _Annex_13__Manual_call_2</p>	Manual for the second call, containing the terms of reference, DNSH conditions and procedural steps
11	<p>Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 25 November 2022</p> <p>BE-C[C53]-I[I-514]-T[197] _Annex_14__Decision_call_2</p>	Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism selecting eight projects in the second call
12	<p>Grant Decisions by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 December 2022 Annexes 15 - 22:</p> <ul style="list-style-type: none"> <li>• BE-C[C53]-I[I-514]-T[197] _Annex_15__MB_Gluecom</li> <li>• BE-C[C53]-I[I-514]-T[197] _Annex_16__MB_Soprema</li> <li>• BE-C[C53]-I[I-514]-T[197] _Annex_17__MB_Newco</li> </ul>	Grant Decisions by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism awarding subsidies to each of eight successful candidates in the second call

	<ul style="list-style-type: none"> <li>• BE-C[C53]-I[I-514]-T[197]_Annex_18__MB_Bioterra</li> <li>• BE-C[C53]-I[I-514]-T[197]_Annex_19__MB_Unilin</li> <li>• BE-C[C53]-I[I-514]-T[197]_Annex_20__MB_JBF_Globa l</li> <li>• BE-C[C53]-I[I-514]-T[197]_Annex_21__MB_Raff_Plasti cs</li> <li>• BE-C[C53]-I[I-514]-T[197]_Annex_22__MB_Triple_Heli x</li> </ul>	
13	Ex-post assessment of the selected projects “Recycling Hub” by OVAM of 3 September 2024	<u>Assessment by OVAM on the fulfillment of the DNSH condition through the use of the exclusion list, provides an overview of relevant elements in the application files, which were checked by the jury</u>

**3. Analysis:**

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

**Six investment projects for recycling facilities have been selected for support.**

Belgium has selected more than six investment projects for recycling facilities for support. The following ten projects are analysed in this payment request assessment:

1. IGEAN
2. Galloo
3. Gluecom
4. Soprema
5. Newco
6. Bioterra
7. Unilin
8. JBF Global
9. Raff Plastics
10. Triple Helix MAAS

The recycling facilities projects IGEAN and Galloo were selected for support on 1 April 2022, by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism : see evidence 7 (Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism selecting six projects

in the first call) and evidence 8 (Grant Decisions by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism awarding subsidies). The recycling facilities projects Gluecom, Soprema, Newco, Bioterra, Unilin, JBF Global, Raff Plastics and Triple Helix MAAS were selected for support on 25 November 2022 by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism : see evidence 11 (Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism selecting eight projects in the second call) and evidence 12 (Grant Decisions by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism awarding subsidies).

#### **A jury shall make an assessment of the projects,...**

On 13 and 14 January 2022 the jury assessed 18 projects, submitted by 10 December 2021, following the first call for proposals on the award of support to companies to close material loops, launched on 21 October 2021. The Jury deemed thirteen projects with the highest total score eligible for financial support. This is evidenced by evidence 7: Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 April 2022, point 2. Content, section A. General information and section B. Result of the first call.

On 19 and 21 September 2022 the jury assessed 17 projects, submitted by 22 August 2022, following the second call for proposals on the award of support to companies to close material loops, launched on 30 May 2022. The Jury deemed thirteen projects with the highest total score eligible for financial support. This is evidenced by evidence 11: Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 25 November 2022, point 2. Content, section A. General information and section B. Result of the second call.

#### **...the final selection shall be confirmed by the Flemish Minister for Environment.**

For the first call on the award of support to companies to close material loops, the final selection of six projects was confirmed by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism on 1 April 2022 (evidence 7: Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 April 2022, point 2. Content, section B. Result of the first call).

For the second call on the award of support to companies to close material loops, the final selection of eight projects was confirmed by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism on 25 November 2022 (evidence 11: Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 25 November 2022, point 2. Content, section B. Result of the second call).

#### **Award of the contracts to the projects selected...**

The contracts have been awarded to 14 projects, as evidenced by the Grant Decisions of 1 April 2021 and of 1 December 2022 for the award of subsidies to successful projects selected by the jury, signed by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism (see evidence 8: Grant Decisions by the by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 April 2022 and evidence 12: Grant Decisions by the by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 December 2022).

#### **...under the competitive call for proposals with terms of reference...**

The total support for this measure, amounting to EUR 30 million, was divided equally into two competitive calls for proposals of EUR 15 million each.

The first call on the award of support to companies to close material loops was launched on 25 October 2021. The call period and the amount of the call were set by the Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 20 October 2021 (evidence 5), published in the Belgian Official Journal on 25 October 2021. The second call on the award of support to companies to close material loops was launched on 30 May 2022. The call period and call amount were set by the Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 23 May 2022 (evidence 9), published in the Belgian Official Journal on 27 May 2022. Both calls were also published on the website: <https://ovam.vlaanderen.be/vlaanderen-als-recyclagehub>

The Decree by the Flemish Government of 3 September 2021 (VR 2021 0309 VV DOC.0136/1) (evidence 3) and the Decree by the Flemish Government of 3 September 2021 (VR 2021 0309 VV DOC.0136/2BIS) (evidence 4) , set out the terms of reference for both calls, in particular the conditions that companies and investments had to meet to be eligible, the scope of the support mechanism, the procedure for assessment of the submitted proposals, the modalities for payment of the subsidy and conditions for possible recovery of the subsidy, the evaluation criteria and the weighting factors (evidence 4: Decree by the Flemish Government of 3 September 2021 (VR 2021 0309 VV DOC.0136/1), articles 1-34). The terms of reference were further explained in the call manuals: evidence 6: Manual for the call for projects by OVAM (Public Waste Agency) of 21 October 2021 and evidence 10: Manual for the call for projects by OVAM (Public Waste Agency) of 30 May 2022.

**...including eligibility criteria that ensure that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list...**

The Council Implementing Decision required the use of an exclusion list as part of the eligibility criteria in order to ensure compliance with DNSH Technical Guidance (2021/C58/01). The specifications of the associated calls did not include a direct reference to the exclusion list in the eligibility criteria. However, the Public Waste Agency of Flanders – OVAM carried out a detailed assessment of the projects regarding the compliance of the selected projects with the DNSH exclusion list. A technical report on this assessment signed by the General Administrator of OVAM (evidence No 13) confirms that the selected projects comply with the 'Do No Significant Harm' principle since they do not concern any of the excluded activities. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, it has been verified that the selected projects respect the requirements of the Council Implementing Decision.

The call manuals (evidence 6: Manual for the call for projects by OVAM (Public Waste Agency) of 21 October 2021 and evidence 10: Manual for the call for projects by OVAM (Public Waste Agency) of 30 May 2022) include eligibility criteria that ensure that the selected projects comply with the 'Do no significant harm' Technical Guidance (2021/C58/01), namely through the use of the exclusion list: evidence 6 (Manual for the call for projects by OVAM (Public Waste Agency) of 21 October 2022, point 2 and point 6.2) and evidence 10 (Manual for the call for projects by OVAM (Public Waste Agency) of 30 May 2022, point 2 and point 6.2):

*"In order to obtain funding, the project must respect the 'do no significant harm' (DNSH) principle. The grants awarded may only be used in a manner that does not significantly harm the following six*

*environmental objectives (...). Under no circumstances may the following activities be included in the project:*

- activities related to fossil fuels, including their downstream use<sup>1</sup>*
- investments in waste treatment facilities in landfills, incinerators<sup>2,3</sup> and mechanical biological waste treatment facilities<sup>4</sup>*
- activities where waste disposal may cause long-term environmental damage (such as nuclear waste)*
- - (industrial) activities covered by the European Union Emission Trading Scheme with projected emissions exceeding the 10 % most efficient alternatives. (...)*

*In this context, when selecting the projects, the OVAM will ensure that a DNSH analysis has been carried out for each environmental objective and that only projects meeting all six criteria are approved. The project application shall be accompanied by a DNSH analysis supported by documentary evidence where appropriate.”*

Compliance with the DNSH Technical Guidance (2021/C58/01) is also imposed as a condition in each ministerial grant decision that awards the grant to the fourteen projects (evidence 8: Grant Decisions by the by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 April 2022, article 3, point 2°b of each grant decision and evidence 12: Grant Decisions by the by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 December 2022, article 3, point 2°b of each grant decision).

**The grant award decisions shall stipulate that the aid shall be granted under the condition that the activity complies with relevant EU and national environmental legislation.**

Each ministerial grant decision that awards the grant to the ten projects stipulates that the aid shall be granted under the condition that the activity complies with relevant EU and national environmental legislation, as evidenced by evidence 8: Grant Decisions by the by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 April 2022, article 3, point 2°a of each grant decision: *‘The aid referred to in Article 1 shall be granted under the following conditions: (...) a. the activity complies with relevant EU and national environmental legislation’*; and evidence 12: Grant Decisions by the by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 December 2022, article 3, point 2°a of each grant decision: *‘The aid referred to in Article 1 shall be granted under the following conditions: (...) a. the activity complies with relevant EU and national environmental legislation’*.

Furthermore, in line with the description of the measure, **the focus of the measure is on missing links in a number of value chains to enable local circular production, such as the recycling of nappies, mattresses, and textiles.** This is evidenced by evidence 3: Decree by the Flemish Government of 3 September 2021 (VR 2021 0309 VV DOC.0136/1), point 1: *“The purpose of this new decision on subsidising enterprises (small, medium and large) is to encourage them to start investments in new recycling activities in Flanders. In general, we aim to support recycling projects that transform waste into raw materials, e.g. investments in new innovative pre-treatment techniques, new recycling facilities or*

*innovative expansion of existing ones; or modifications of production processes to enable the processing of recycled materials. (...)*

*The following flows were used as a scope for market exploration:*

- asbestos (...)*
- mattresses (...)*
- napkins (...)*
- textiles: The past crisis has highlighted the vulnerability of our economy to this flow due to the absence of a number of links in the processing chain in Flanders/Europe.*
- plastics (e.g. packaging).*

*This selection of waste streams was based on the assumption that a certain supply will be released for these waste streams.”*

This is also evidenced by evidence 6 (Manual for the call for projects by OVAM (Public Waste Agency) of 21 October 2021, point 2) and evidence 10 (Manual for the call for projects by OVAM (Public Waste Agency) of 30 May 2022, point 2):

*“We aim to invest in recycling techniques that transform waste into raw materials, for example: innovative treatment of asbestos-containing waste, which reduces the disposal of asbestos-containing waste in landfills; recycling or preparation for recycling of waste, which reduces the disposal of waste or allows for higher quality recycling. Our proposals for recycling nappies, plastics, textiles, mattresses will receive special attention (...); new techniques enabling recyclates to be used in (existing) production processes.”*

Additionally, it is evidenced by evidence 4: Decree by the Flemish Government of 3 September 2021 (VR 2021 0309 VV DOC.0136/2BIS), chapter 6, article 25, point 1°

*“(…) strategic relevance means: the project fulfils all of the following conditions:*

*1° it provides an important share of an environmental solution with closed material loops and process integrated solutions (...).”*

This is also evidenced by evidence 5: Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 20 October 2021 and evidence 9: Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 23 May 2022. The titles of these Decisions (*Ministerial decision to implement a call for the award of support to companies to close material loops*) as well as their respective Articles 1 and 6 refer to closing material loops, thus focusing on missing links in a number of value chains to enable local circular production.

Furthermore, in line with the description of the measure, **investments are also sought in the plastic and chemical sectors.** This is evidenced by evidence 7 (Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 April 2022, point B: Results of the first call), evidence 11 (Decision by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 25 November 2022, point B: Results of the second call), evidence 8 (Grant Decisions by the by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 April 2022,

Section: Motivation) and evidence 12 (Grant Decisions by the by the Flemish Minister for Justice and Enforcement, Environment, Energy and Tourism of 1 December 2022, Section: Motivation), showing that:

- the following investments are in the recycling of plastics: Raff Plastics, JBF Global;
- the following investments are in chemical sectors: one in the production of glue using recycle (Gluecom) and one in the recycling of aluminium alloys (Galoo).

**4. Commission Preliminary Assessment:**

Satisfactory fulfilled.

**Number and name of the Milestone:** 201 - Award of public contracts for projects promoting circular economy in Wallonia

**Related Measure:** I-5.16 - Deployment of the circular economy in Wallonia

**Qualitative Indicator:** Notification of the award of public contracts to successful candidates

**Time:** Q2 2022

**1. Context:**

Investment I-5.16 - Deployment of the circular economy in Wallonia consists in the implementation of R&D projects related to reuse and recycling of metals, batteries and minerals.

Milestone 201 concerns the selection of R&D projects for recycling and reuse of metals, batteries and minerals according to a tender process.

Milestone 201 is the first step of the implementation of the investment, and it will be followed by target 202 related to the Completion of projects promoting circular economy in Wallonia. The investment has a final expected date for implementation in June 2026.

**2. Evidence provided:**

	Name of the evidence	Short description
1	Cover Note	Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled.
2	20210902_annexe-ngw-lancement-aap-poles-clean	Call for Projects with the terms and conditions of the tender published in Appel à Projets "Plan National de Relance et Résilience (PNRR)" de GreenWin & MecaTech - GreenWin
3	20212122_Addedum Annexe NGW_lancement AAP_POLES	Addendum to the Call for Projects
4	Council of Ministers Decision of 31 March 2022	Council of Ministers Decision which approves the selection of projects
5	162_20220331_Projet162_partenaria_econ circulaire_ NOTE_ANN	Note that supports the Council of Ministers Decision and which includes the Jury's assessment of the different applications
6	Notifications of the award decision: Notification_PLANUM Notification_REMIND_C_Grout Notification_REMIND_CARBOC Notification_REMIND_CIBER Notification_REMIND_IRMA Notification_REMIND_WASTE2CEM Notification_REMIND_WASTE2MAT Notification_REVERSE_CISTEMEEC Notification_REVERSE_ECWALI Notification_REVERSE_PYROTECNIC Notification_REVERSE_REMADE	Emails sent to project owners notifying them of the award decision

7	DNHS Annex of the Applications of the selected projects: Formulaire Addendum_PLANUM Formulaire Addendum _C_Grout Formulaire Addendum _CARBOC Formulaire Addendum _CIBER Formulaire Addendum _IRMA Formulaire Addendum _WASTE2CEM Formulaire Addendum _WASTE2MAT Formulaire Addendum __CISTEMEEC Formulaire Addendum __ECWALI Formulaire Addendum __PYROTECNIC Formulaire Addendum __REMADE	DNSH Annex of Applications of the selected projects showing how the projects comply with the DNSH criteria
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**3. Analysis:**

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

**Selection of successful candidates following the call for proposals for projects on recycling and reuse of metals, batteries and minerals.**

On 31 March 2022, the Council of Ministers of the Walloon Government approved the findings of the Jury of the Call for Projects and listed the selected projects for recycling and reuse of metals, batteries and minerals (Notification Séance 31 Mars 2022, point A22 – Evidence 4). This Decision is based on the Note to the Government that summarises the process and includes the assessment of the Jury (evidence 5). The Call for Projects was launched by the Walloon Government on 14 July 2021. It targeted Research and Development (R&D) projects for recycling and reuse of metals, batteries and minerals, including the dismantling of airplanes. The call was amended on 9 September 2021 to increase the support available to latter type of R&D projects, dismantling of airplanes (evidence 2).

The award decision was later notified to the owners of the selected projects (evidence 6) between 31 March 2022 and 1 April 2022.

Furthermore, in line with the description of the measure, **investments shall be implemented via a call for proposals for research and development through the creation of innovation partnerships in two priority value chains, namely metals and construction materials. Projects shall focus on circularity (reuse, upscaling and recycling) of metals, batteries and minerals**

According to section 1, subsection “Economie Circulaire” of the Call for Projects, the Walloon authorities call for proposals for research and development via partnerships in two value chains: metals and construction materials. It further specifies that the projects should focus on reuse, upscaling and recycling of metals, batteries and minerals (Section 1, subsection “Economie Circulaire”, evidence 2).

**The call for proposals shall have terms of reference including eligibility criteria that ensure that the selected projects comply with the ‘Do no significant harm’ Technical Guidance (2021/C58/01) through the use of an exclusion list**

Sections 3.1 and 3.2 together with Section 4 of the Addendum to the Call for Projects establish as an eligibility criterion the requirement to comply with Do no significant harm Technical Guidance

(2021/C58/01). This requirement is set by using an exclusion list (subsection “Activités exclues” of section 3.2 of the Addendum, evidence 3).

Furthermore, in line with the description of the measure, **the eligibility criteria contained in terms of reference for upcoming calls for projects shall exclude the following list of activities: (i) activities related to fossil fuels, including downstream use; (ii) activities under the EU Emission Trading System achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; and (iii) activities where the long-term disposal of waste may cause harm to the environment.**

As mentioned above, subsection “Activités exclues” of section 3.2 of the Addendum to the Call for Projects includes the list of activities that are excluded. This list contains the activities related to fossil fuels, including downstream use (point I of section 3.2, subsection “Activités exclues”, evidence 3); the activities under the EU Trading System with projected greenhouse gas emissions not lower than the relevant benchmarks (point II of Section 3.2, subsection “Activités exclues”); and activities where the long-term disposal of waste may cause harm to the environment (point III of Section 3.2, subsection “Activités exclues”, evidence 3).

In addition, Belgium also submitted the application forms submitted by the companies to the call to show compliance with this eligibility criterion (evidence 7).

**The call for proposals shall have terms of reference including eligibility criteria that ensure that the selected projects comply with [...] [and] the requirement of compliance with the relevant EU and national environmental legislation.**

In section 3.2, subsection “subsection “Activités exclues” together with Section 4 of the Addendum to the Call for Project establish as an eligibility criterion the need to comply with relevant EU and national environmental legislation (evidence 3).

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 206 - Spending review integration into budgetary process (1) or pilot completion

**Related Measure:** R-6 - Spending reviews

**Qualitative Indicator:** Government decision

**Time:** Q4 2022

**1. Context:**

The objective of the reform is to integrate spending reviews into the budgetary process of different entities (Federal Government, Flemish Region, Walloon Region, Brussels-Capital Region, and the French Community) to ensure improvements in the quality and efficiency of their public spending and contribute to strengthening their budgetary position. The reform is organised along five sub-elements: Reform R-6.01 ‘Spending reviews’ of the Federal State, Reform R-6.02 ‘Spending reviews - Flemish general revision and spending norm’ of Flanders, Reform R-6.03 ‘Spending Reviews — Zero-based budget’ of the Walloon Region, Reform R-6.04 ‘Spending review’ of the Brussels-Capital Region, and Reform R-6.05 ‘Spending reviews’ of the French Community.

Milestone 206 is part of the reform R-6, and requires from the Federal government, the Walloon Region, and the Brussels Capital Region, government decisions on how to integrate the spending review into budgetary process. The decisions have to define the spending review strategy and a calendar with future reviews, potentially including quantified targets and, in line with the Eurogroup guidance, ensure, amongst other elements, clear scope and design of the reviews and transparent monitoring, reporting and evaluation. For the French Community authorities, the requirements of the milestone cover the completion of the spending review pilots and a report redaction.

Milestone 206 is the second milestone of the R-6 reform, following the completion of milestone 205. It will be followed by milestone 207, on the further integration of spending reviews into the budget process through the systematic inclusion of the outcome of spending reviews into annual and multiannual budget planning, and milestone 208, on spending review ex-post analysis. The requirements under each milestone reflect the initial position of the different entities in the implementation of the reform. The reform has a final expected date of implementation of 31 December 2024.

**2. Evidence provided:**

*Federal Government*

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover Note of 17 May 2024	A summary document of 17 May 2024 duly justifying how the milestone was satisfactorily fulfilled with respect to actions falling within the remit of the federal state
2	M[206]_Appendix_A_Council_of_ministers_December_18_2020	Decision of the Council of Ministers on 18 December 2020, approving the implementation and the calendar of the spending reviews

3	M[206]_Appendix_B_Council_of_ministers_18_10_2022	Decision of the Council of Ministers on 18 October 2022, approving the topics of the new spending reviews for 2023 and 2024 and the structural anchoring of the spending reviews in the budgetary process (p.102-105)
4	M[206]_Appendix_C_General_Notes_Budget_2023	General Note of 10 November 2022, accompanying the budget of 2023, with the section on spending reviews (p.68-75) outlining how the spending reviews will be further structurally anchored in the budgetary process
5	M[206]_Appendix_D_Program_law_26_12_2022	Program law of 26 December 2022, modifying the law of 22 May 2003 on the organization of the federal state's budget and accounts ( <i>Loi portant organisation du budget et de la comptabilité de l'Etat federal/ Wet houdende Organisatie van de begroting en van de comptabiliteit van de Federale Staat</i> ) published in the Official Journal of 30 December 2022
6	M[206]_Appendix_E_Version_of_consolidated_law_22052003	Copy of the consolidated version of the law of 22 May 2003 on the organization of the federal state's budget and accounts ( <i>Loi portant organisation du budget et de la comptabilité de l'Etat federal/ Wet houdende Organisatie van de begroting en van de comptabiliteit van de Federale Staat</i> )
7	M[206]_Appendix_F_Council_of_ministers_10_11_2023	Note to the Council of Ministers on 10 November 2023, on the implementation of the spending reviews from 2021, 2022 and 2023, and the selection of spending review topics for 2024
8	M[206]_Appendix_G_Council_of_ministers_26_04_2024_Status	Monitoring of 26 April 2024 by the Council of Minister of the spending reviews completed in 2021, 2022 and 2023
9	M[206]_Appendix_H_Council_of_ministers_26_04_2024_Methodology	Decision of the Council of Minister on 26 April 2024 on the improvement of the spending review methodology and approving the creation of a non-exhaustive list of spending review topics for the next legislature

### Brussels Capital Region

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover Note of 31 May 2024	A summary document of 31 May 2024 from the Brussels Capital Region duly justifying how the milestone was satisfactorily fulfilled with respect to actions falling within the remit of the Brussels-Capital Region
2	M[206]_2022_07_20_note_gouv_notification	Decision of the Council of Ministers on 20 July 2022 approving the note on the strategy for the structural anchoring of spending reviews in the budgetary process and its concrete calendar

3	M[206]_Note au gouvernement de la RBC - intégration structurelle examen des dépenses dans le processus budgétaire	Note from the Brussels Minister of Finance and Budget to the members of the Government of the Brussels-Capital Region on the Structural anchoring of spending reviews in the budgetary process including the government strategy and its calendar and topics for the current legislature
4	M[206] - cahier ISBA n°10 - explications spending reviews - rapportage 4	Guidebook No. 10 by IBSA on Conducting an Effective Spending Review: Foreign Experiences, Recommendations, and Key Elements for the Brussels-Capital Region
5	M[206] - PEFA assessment report july 2021-Brussels Capital Region-Aug21	Public Expenditure and Financial Accountability (PEFA) assessment report

#### *Walloon Region*

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover Note of 7 March 2023	A summary document of 7 March 2023 duly justifying how the milestone was satisfactorily fulfilled with respect to actions falling within the remit of the Walloon region
2	M[206]_2022.12.15_Point 134_Notification signee de la decision du Gouvernement	Decision of the Council of Ministers on 15 December 2022 on the approval of the implementation of the spending review on an annual basis and the calendar alignment with the budgetary process
3	M[206]_2022.12.15_Point B134_NGW Integration des RD dans le processus budgétaire	Amending Note to the Walloon government on how the spending reviews will be implemented, including the role of the different actors, a calendar for the different steps, and its alignment with the budgetary process based on the recommendations of the OECD report
4	M[206]_2022.novembre_Rapport technique OCDE_Revue des dépenses en RW	OECD Report on supporting the Walloon Region in building capacity in the field of spending reviews concluding in eight recommendations

#### *French Community*

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover Note of 16 May 2024	A summary document of 16 May 2024 from the French duly justifying how the milestone was satisfactorily fulfilled with respect to actions falling within the remit of the French Community authorities

2	M[206]_Report_summarising_results_of_pilots_conducted_in_2022	General presentation of the budget for the French community budget of 2022, including a section with the summary of the implementation of the first wave of pilot spending reviews (p. 21-30)
3	M[206]_Parlement de la Communauté française session 2022-23 (17 novembre 2022) - Projet de décret	Annex 6 of the French Community's expenditure budget for the 2023 financial year, on the monitoring of the implementation of the spending reviews. It summarizes how the spending review was conducted, including the role of different actors, the new calendar as well as a summary of the implementation of the pilot spending review projects of the second wave

### 3. Analysis:

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

#### *Federal Government*

#### **Spending review integration into budgetary process (1): Government decisions defining how spending reviews (or similar approach) are integrated into budgetary process.**

The federal government defined how spending reviews (or similar approach) are integrated into the budgetary process through the Decision of 18 December 2020 and the Decision of 18 October 2022.

With the Decision of 18 December 2020, the federal government adopted the implementation plan and the calendar for the spending review integration into the budgetary process (evidence no.2). The decision of 18 December 2020 stipulates that spending reviews will take place annually, starting in July with the Council of Ministers deciding on the topics of the spending reviews and their task descriptions, and concluding in July of the following year with a decision of the Council of Ministers on the strategic options to take (evidence no.2, p. 6).

With the decision of 18 October 2022, the federal government structurally anchored spending reviews to the budgetary process, by including the outcomes of achieved and planned spending reviews in the general presentation of the budget (*exposé général du budget*) to be submitted to the Parliament no later than 15 October (evidence no.3, p.104-5).

This was complemented by Article 2 of the Program Law of 26 December 2022, which amended Article 46 of the law of 22 May 2003 on the organization of the federal State budget and accounts (*Loi portant organisation du budget et de la comptabilité de l'Etat fédéral/ Wet houdende Organisatie van de begroting en van de comptabiliteit van de Federale Staat*) (evidence no.5). Notably, Article 46 on the content of the general presentation of the budget has been amended as follows:

- Article 46(8)(1) of the Law of 22 May 2003 as amended requires that the general presentation of the budget will include a report on the spending reviews completed in the current year, the actions associated with them and a schedule for the future spending reviews to be carried out.
- Article 46(8)(2) of the Law of 22 May 2003 as amended defines spending reviews as “a collaborative process of developing and adopting policy options by analysing existing public spending and public policies in particular areas and linking these options to the budget process” (evidence no.6).

The Council Implementing Decision required government decisions defining how spending reviews (or similar approach) are integrated into budgetary process. The federal authorities have integrated spending reviews in the budgetary process through a law and decisions. Whilst this constitutes a minimal deviation from a formal requirement of the Council Implementing Decision, the federal authorities have chosen to integrate spending reviews in the budgetary process through not only through a decision but also through a law, which is an act with a higher legal status than a decision. As of this, this minimal deviation does not affect the progress towards achieving the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

**The decisions define the spending review strategy and a calendar for future reviews, potentially including quantified targets.**

On page 6 of the decision of 18 December 2020 it is stipulated that spending reviews will take place annually, starting in July with the Council of Ministers deciding on the topics of the spending reviews and their task descriptions, and concluding in July of the following year with a decision of the Council of Ministers on the strategic options to take (evidence no.2).

Furthermore, the topics for 2023 and 2024 have been approved by the decision of 18 October 2022. For 2023, the spending reviews will concern i) Cybersecurity, ii) Court costs, and iii) Asylum and Migration. The topics for 2024 will be on i) Overview of grants, and ii) Efficiency of federal research and development support (evidence no.3, p.104).

With the decision of 10 November 2023, the federal government approved the details of the spending reviews for 2024, such as the research questions, timing and composition of the working group (evidence no.7, p.20-23).

**In line with the Eurogroup guidance, ensure, amongst other elements, clear scope and design of the reviews as well as [...]**

Decision of 18 December 2020 stipulates that the topic and the task description of the spending reviews are approved by the Council of Ministers, ensuring a clear scope and design of the spending reviews (evidence no.2, p.5).

Additionally, a unit within SPF BOSA (Federal administration for policy and support) has been set up to coordinate the process and provide the necessary administrative support to the working groups (evidence no.2, p.6).

This is in line with the Eurogroup guidance of 9 September 2016 which stated that the design and implementation of spending reviews should include a clear strategic mandate specifying the objectives and scope and a center of coordination.

**transparent monitoring, reporting and evaluation.**

Furthermore, in line with the requirement of transparent monitoring, the executive summary and the conclusions of the spending reviews for 2022 have been published online (<https://bosa.belgium.be/nl/themas/begroting-en-boek-houding/federale-begroting/cijfers-en-analyse/spending-review>). As of 2023, in line with the amended law of 22 May 2003 on the organization of the federal State budget and accounts, the general presentation of the budget also requires a report on the spending reviews carried out during the year in question, the related actions and a timetable for the upcoming spending reviews, allowing for transparent monitoring, as the general presentation of the budget is publicly available (<https://bosa.belgium.be/fr/themes/budget-et-comptabilite/le-budget-federal/chiffres-et-analyse/budget-initial#anchor-2>). This is in line with the principles set out in the

Eurogroup guidance of 9 September 2016 which provided that communication to the public on the progress and outcome of reviews should be regular and transparent.

Moreover, the General Note of 10 November 2022 accompanying the 2023 budget law states that the role of the Monitoring Committee (*Comité de monitoring*) is to ensure that the working groups are working within the framework of the predefined mission and are following the process of preparing a final report, thus ensuring internal monitoring (evidence no.4, p. 69).

In addition, the decision of the Council of Ministers of 26 April 2024 stipulates that the Steering Group (*le groupe de pilotage*) will provide the Council of Ministers, in February and September, with an update on the implementation of the actions approved by the Council of Ministers in the context of the spending reviews carried out in previous years, with SPF BOSA being responsible for preparing those reports, thus, allowing for reporting instances (evidence no.9, p.9).

Regarding the evaluation, based on the experience gained from the three pilot projects, a reflection will be undertaken, and if needed necessary improvements will be made or the process can be further formalized (evidence no.2, p. 5). Furthermore, the decision of 26 April 2024 specified that ex-post evaluation will take place at regular intervals, and at least at the end of each parliamentary term so that the methodology and its application can be continuously improved (evidence no.9, p.7). This is in line with the principles set out in the Eurogroup guidance of 9. September 2016 which provided that spending reviews should be subject to independent ex-post evaluation to learn lessons for future reviews.

**Furthermore, in line with the description of the measure, by the completion of the pilots, the government shall decide in 2022 how spending reviews would become a recurrent process and an integral part of the budgetary procedure.**

Please see the analysis above for the fulfilment of the requirement of the measure.

### *Brussels Capital Region*

**Spending review integration into budgetary process (1): Government decisions defining how spending reviews (or similar approach) are integrated into budgetary process.**

The government of the Brussels-Capital Region adopted the decision of 20 July 2022 (evidence no.2) which endorsed the strategy set out in the Note of the minister of Finance and Budget to the Brussels Capital Region government (evidence no.3) concerning the structural anchoring of spending reviews into the budgetary process. With the same decision of 20 July 2022 the government of the Brussels-Capital Region endorsed the concrete calendar and the topics for the spending reviews of the subsequent year as specified in the above-mentioned Note of the minister of Finance and Budget.

**The decisions define the spending review strategy and a calendar for future reviews, potentially including quantified targets.** The above-mentioned decision of 20 July 2022 explicitly endorsed the strategy and the calendar for spending reviews as specified in the Note of the Minister for Finance and Budget to the Brussels Capital Region government (evidence no.3). The Note, elaborates on how spending reviews are integrated into budgetary processes. The Note to the Brussels Capital Region government defines the spending review strategy, which requires the government to conduct two spending reviews annually with the result of these reviews informing budget discussions for the following year (p.9).

The calendar for the spending reviews starts in October of each year and concludes in June of the following year. The results of the spending review can then be incorporated into the budgetary discussions of the

subsequent year. The possibility to extend the completion date timeline by one year exists subject to approval by the minister for Finance and the Budget. Furthermore, the government must define the concrete scope and quantified targets for the spending reviews at the latest in June of the same year as the start date in October (p.9-10).

At the initiative of the responsible minister and cosigned by the minister of finance and budget, the government will issue a government decision within three months of completion of the spending review, outlining reforms and a roadmap for implementation. No later than six months after the completion of a spending review, the government decision as well as the results of the spending review will be presented to Parliament on the initiative of the responsible minister (p.10).

Additionally, the Note to the Brussels Capital Region government, outlines the topics chosen for 2022, namely i) Family allowances and ii) Economic policy: Investment in R&DI, as well as having made the pre-selection for the topics to be launched in October 2023 (p.10).

**In line with the Eurogroup guidance, ensure, amongst other elements, clear scope and design of the reviews as well as [...]**

According to the Note to the Brussels Capital Region government (evidence no.3), the Brussels Capital Region government is responsible for defining the concrete scope and quantified targets for each spending review. A coordination center has been put in place within the framework of Brussels Synergy (which operates under the direct authority of the Secretary-General and the Deputy Secretary-General of the Brussels Regional Public Service) and the members of government will ensure that the taskforce will be provided with access to the data needed for the spending review (evidence no.3, p.9). This is in line with the principles set out in the Eurogroup guidance of 9 September 2016 which provided that the design and implementation of spending reviews should follow a clear strategic mandate specifying the objectives the scope and a center of coordination, as well as the provision of adequate resources and access to data.

**transparent monitoring, reporting and evaluation.**

As per the Note to the Brussels Capital Region government, the task of conducting the spending review is entrusted to inter-ministerial working groups, with a coordination center within the framework of Brussels Synergy monitoring the implementation of the spending review as well as ensuring their quality. This coordination center will report on the progress of the ongoing spending review at the request of the minister of finance of other members of government, with the results of the spending reviews being presented to parliament. Moreover, the coordination center will ensure that ex-post evaluations are carried out (evidence no.3, p.9-10).

Additionally, the discussions of the conducted spending reviews in the Committee on Finance and General Affairs are publicly accessible via the Brussels's Parliaments YouTube channel (see for example the discussion on the Spending Review on Mobility: <https://www.youtube.com/watch?v=zY9Z9-iaEww>).

This is in line with the principles set out in the Eurogroup guidance of 9 September 2016 which provided that there should be regular communication to the public on the progress and outcome of reviews and spending reviews being subject to ex-post evaluations.

**Furthermore, in line with the description of the measure, the Brussels government benefited from a comprehensive gap analysis of its public financial management system thanks to a Public Expenditure and Financial Accountability (PEFA) assessment to be concluded in July 2021.**

The Public Expenditure and Financial Accountability (PEFA) performance assessment report on the Brussels Capital region was published on 30 August 2021 (evidence no.5). The Council Implementing

Decision required the PEFA assessment to be concluded in July 2021, while the PEFA assessment was published in August 2021. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay of the publication of the PEFA assessment is considered both limited and proportional. 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 main objective of the two spending review pilots in the areas of mobility and social housing is to strengthen the capacity within the Administration (in particular the Brussels Administration for Finance and Budget and the Brussels Institute for Statistics and Analysis) and to draw lessons to anchor the tool in a structural way.**

Please see the analysis of M205 for the fulfilment of the completion of the two spending review pilots in the areas of mobility and social housing. The two pilot spending reviews have been carried out with the technical assistance of the Directorate-General for Structural Reform Support of the European Commission. In order to strengthen the capacity within the regional administration and to draw lessons to anchor the tool in a structural way, both the Brussels Administration for Finance and Budget and the Brussels Institute for Statistics and Analysis have been associated to the two spending review pilots exercises. Based on the gained experience during the two pilot reviews, the Brussels Institute for Statistics and Analysis (IBSA) produced a report “Cahier 10 on Conducting an Effective spending Review” (evidence no.4), in which it is described a methodology covering the different steps in the spending review exercise. In the methodology the different steps of the spending review process are described (p.17-18), with attention being given to good governance (p. 19-23), a working framework (p. 24-31) and analysis parameters (p.32-35). Each chapter includes a section on current practice in the Brussels-Capital Region, with recommendations based on what is relevant to the Brussels Capital Region (see for example p.22). In addition, the IBSA report annex looks at the experiences of other European countries and how these countries, such as Denmark, the Netherlands, and the UK, have integrated spending reviews into the budgetary process (p. 54-59).

#### *Walloon Region*

**Spending review integration into budgetary process (1): Government decisions defining how spending reviews (or similar approach) are integrated into budgetary process.**

The decision of the Council of Ministers on 15 December 2022 approved the integration of spending reviews in the budgetary process of the Walloon Region (evidence no.2).

**The decisions define the spending review strategy and a calendar for future reviews, potentially including quantified targets.**

The decision of the Council of Ministers on 15 December 2022 requires the implementation of the spending reviews through their integration in the annual budgetary cycle. The spending review strategy and the calendar for future reviews are elaborated in the Amending Note to the Walloon Government, the content of which was approved with the decision of the Council of Ministers of 15 December 2022. On page 12, the Amending Note to the Walloon Government elaborates on the annual selection process of spending review topics. First, the Minister of Budget requests proposals from various institutions for potential spending reviews. These proposals form the long list (10 to 15 proposals) which is submitted to the Minister of Budget. The final selection of the short list (3 to 5 proposals) is then submitted for approval to the government (evidence no.3, p. 12).

The spending review process is broken down into three phases (planning phase, realization phase, and implementation and monitoring phase). For each phase the measures to be taken, the responsible entity

and the calendar have been established (evidence no.3, p.12-16). Additionally, a calendar overview of the different steps for the spending review process as well as how it aligns to the budgetary process is presented (evidence no.3, p.17).

**In line with the Eurogroup guidance, ensure, amongst other elements, clear scope and design of the reviews, as well as [...]**

The Amending Note to the Walloon Government clearly defines the governance structure and the roles assumed by each entity including their composition (evidence no.3, p. 9-12). Furthermore, for each spending review, specifications will be drawn up by the coordinating entity in collaboration with the actor who proposed the spending review topic and will include an overview of the topic to be discussed, the definition of the scope and objectives of the review, the expenditure to be examined, the set deadlines and the actors involved thus ensuring that in line with the Eurogroup guidance of 9 September 2016, the design and implementation of spending reviews follows a clear strategic mandate specifying the objectives and the scope.

**transparent monitoring, reporting and evaluation.**

The calendar, presented in the Amending Note to the Walloon Government on page 15 and 16, foresees regular internal monitoring by the Coordinating entity (*Entité de coordination*), in collaboration with the entities concerned. Moreover, the steering Committee (*Comité de Pilotage*) supervises the spending review process, ensuring the smooth running of the process, including in relation to the set timetable (evidence no.3, p.11).

Furthermore, the calendar presented in the Amending Note to the Walloon Government on page 16, includes reporting to the government on the implementation of policy options in the budgetary documentation and the financial report on the last budget year. Twice a year the Minister-President, Minister for the Budget and Sectoral Ministers receive information on the progress in implementing the decisions (evidence no.3, p.16).

A review of the spending review framework is foreseen at the end of the first spending review to evaluate and if needed adjust the framework. Additionally, ex-post evaluations of the general framework and individual reviews should be systematically carried out (evidence no.3, p. 19-20). This is in line with the Eurogroup guidance of 9. September 2016 concerning the importance of spending reviews being subject to independent ex-post evaluations.

*French Community*

**Spending review pilot completion and report redaction.**

The French Community authorities have conducted the first and second wave of the pilot spending reviews. The report on the first wave of spending reviews, which served the elaboration of the 2022 budget, has been integrated in the general presentation of the 2022 budget (*'exposé général du budget'*) for the French Community, which was tabled in front of the Parliament of the French community on 18 November 2021. The document provides a summary of the results of the first wave of pilot reviews (evidence no.2, p.21-27). The document is available on the website of the Parliament of the French community at the following link: <https://www.pfwb.be/documents-parlementaires/document-pjdb-001710621> The report on the second wave of pilot reviews has been integrated in the 'Project of decree containing the expenditure budget of the French Community for the 2023 budget year'. The document was tabled in front of the Parliament of the French communities on 17 November 2022. Annex 6 of the

document, on the monitoring of the implementation of the spending reviews, contains the summary of the pilot spending reviews carried out during the second wave (evidence no.3, p.11-64). The document is available on the website of the Parliament of the French community at the following link: <https://www.pfwb.be/documents-parlementaires/document-pjdb-001748011>. During the two waves of spending reviews, several topics were selected ranging from administrative expenditure to loans to bookshops and publishers. The two documents evidence the completion of the two waves of pilot spending reviews as required by the Council Implementing Decision.

#### **4. Commission Preliminary Assessment:**

Satisfactory fulfilled.

**Number and name of the Milestone:** 213 - Increased energy subsidy scheme of the Flemish Region

**Related Measure:** I-7.02 - Improved energy subsidy scheme of the Flemish Region

**Qualitative Indicator:** Entry into force of the amendment of the decree concerning the energy subsidy scheme of the Flemish government

**Time:** Q1 2022

**1. Context:**

Milestone 213 is part of investment I-7.02, which consists in scaling up subpart i) of reform R-1.01 “Improved energy scheme” of the Flemish region.

Milestone 213 requires entry into force of the legal basis for the investment, namely the decree amending the scheme related to R-1.01, subpart i), which must increase subsidies for energy efficiency renovations of private housing for the two lowest income target groups and grants for roof insulation and heat pumps.

Milestone 213 is the only milestone of investment I-7.02. However, following the completion of this milestone, in line with the description of the measure in the Council Implementing Decision, Belgium will implement investment 1A intended to support renovations in private and social housing, which has three sub-investments linked on the one hand to reform R-1.01 and on the other hand targets 5, 6 and 7. The three sub-investments have a final expected date of implementation on 30 June 2025.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Summary document	Summary document justifying how the milestone was satisfactorily fulfilled. The document includes references to the relevant provisions in the legislative text.
2	<b>Implementing order of the Flemish Government</b> [“Besluit Vlaamse Regering”] of <b>20 May 2022</b> [pages 207-214] <a href="https://www.belgiestaatsblad.be">Belgisch Staatsblad (fgov.be)</a>	This is the amendment to the single subsidy scheme for residential and private renovations (‘Mijn VerbouwPremie’, cf M1 subpart i)) increasing the <b>maximum percentages of the subsidy scheme for the two lowest income target groups as well as increasing subsidies for roof insulation and subsidies for heat pumps</b>
3	<b>Implementing order of the Flemish Government</b> [“Besluit Vlaamse Regering”] of <b>16th June 2023</b> [pages 296-329] <a href="https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=nl&amp;caller=summary&amp;pub_date=23-08-28&amp;numac=2023044728">https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=nl&amp;caller=summary&amp;pub_date=23-08-28&amp;numac=2023044728</a>	This is an amendment to the previous text, with additional legislative amendments prolonging the increase in subsidies for roof insulation and subsidies for heat-pumps
	<b>Implementing order of the Flemish Government</b> [“Besluit Vlaamse Regering”] of	This is an amendment to the previous text, with additional legislative amendments prolonging the

<p><b>13th October 2023</b> [pages 80-81] with additional legislative amendments</p> <p><a href="https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=nl&amp;caller=summary&amp;pub_date=23-11-10&amp;numac=2023046891">https://www.ejustice.just.fgov.be/cgi/article_body.pl?language=nl&amp;caller=summary&amp;pub_date=23-11-10&amp;numac=2023046891</a></p>	<p>increase in the maximum percentages of the subsidy scheme for the two lowest income groups</p>
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**3. Analysis:**

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

**Entry into force of the amendment to the decree concerning the energy subsidy scheme related to R-1.01, sub-reform (i). It shall define an increase in support for the two lowest income groups,**

The implementing order of the Flemish Government of 20 May 2022 amends the Energy decree of the Flemish government of 19 November 2010, in particular the one stop shop for energy efficiency and renewable energy renovations required under milestone 1 subpart i) “MijnVerbouwPremie” that was established by the implementing order of the Flemish Government of 4 February 2022. It was published in the national Official Journal of 30 June 2022. It entered into force on 1 July 2022, as stipulated in its Article 24.

Article 23 of the implementing order of the Flemish government of 20 May 2022 increased the support for investments costs related to energy efficiency renovations for the two lowest income target groups. The applicable support rate is of 50% for the lowest income groups (cf paragraph 2 of article 23); previously, the applicable support rate was 35% for lowest income groups. The increased support was initially applicable for invoices received before January 2024, but it was prolonged by the article 7 of Implementing order of 13 October 2023 to invoices received before January 2025.

**... as well as an increase in the grants for roof insulation**

Article 16 of the implementing order of the Flemish Government of 20 May 2022 amends article 12.3.27 of the Energy decree of 19 November 2010 by increasing the support by EUR 4 / m2 for roof insulation works. The increased support was initially applicable for invoices received in 2022 and 2023, but it was prolonged by the implementing order of 16 June 2023, article 103, to invoices received until end 2025.

**...and the grants for heat pumps.**

Article 4 of the implementing order of the Flemish Government of 20 May 2022 increases the support for heat pumps. For instance, for air-to-water heat pumps, the support is increased from a baseline of EUR 1500 to EUR 3000, the initial support was granted to installations from 1 January 2019 to 31 December 2021, while the increased support is granted to installations from 1 January 2022 to 31 December 2023. The increased support was initially applicable for invoices received until end 2023, but it was prolonged by the implementing order of 16 June 2023, article 20, to invoices received until end 2025.

**Moreover, in line with the description of the measure, the scaled-up part of this measure shall finance the increase in subsidy per final recipient for energy efficient renovations of private housing.**

The scaled-up part of the measure concerns the increased support for the two lowest income categories, and increase in grants for roof insulations and the grants for heat pumps. As written above, the support to the two lowest income categories, to roof insulation and to heat pumps has increased. The increased

support has raised the subsidy per final recipient. Consequently, the incentives for Flemish citizens to undertake energy renovation works, insulate roofs and install heat pumps benefitting from those have been reinforced.

**4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 250 - Adaptation of the management and control system for the Recovery and Resilience Plan

**Related Measure:** BE-C[CAC]-R[R-1], Monitoring and implementation of the plan

**Qualitative Indicator:** Adapted manual of procedures and instructions to the implementing bodies. Adoption and sending of a communication to the Inspectorate of Finance, where relevant.

**Time:** Before the second payment request

**1. Context:**

The measure aims at the monitoring and implementation of the Belgian Recovery and Resilience Plan and covers the two audit and control milestones which form part of the second payment request.

Milestone 250 requires the coordinating bodies to adapt their manuals of procedures/documents outlining their management and control system and issue related instructions to the implementing bodies with the overall objective to strengthen the framework to prevent, detect, and correct any serious irregularities such as fraud, conflict of interest, corruption and double funding.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	A summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and the corresponding measure in the CID annex) was satisfactorily fulfilled. One for each Belgian entity.
2	Copy of the adapted manuals of procedures/documents for each Belgian entity <ul style="list-style-type: none"> <li>• Federal: Vademecum – Recovery and Resilience Plan. Dated 6 December 2024. (<i>Vademecum - Plan pour la reprise et la résilience</i>)</li> <li>• Wallonia: Management and Control System. Dated 28 January 2025. (<i>Système de gestion et contrôle</i>)</li> <li>• Fédération Wallonie-Bruxelles: Global procedural note on the management and control system of the Recovery and Resilience Plan in the Fédération Wallonie-Bruxelles. Dated 24 December 2024. (<i>Note de procédure globale relative au système de gestion et de contrôle du</i></li> </ul>	Written instructions regarding the management and control systems of the entities concerned in the implementation of the Recovery and Resilience Facility.

	<p><i>Plan de relance et de résilience pour la Fédération Wallonie-Bruxelles</i></p> <ul style="list-style-type: none"> <li>• Flanders: Instructions for anti-fraud procedures. Dated 3 December 2024. (<i>Instructie anti-fraude procedures</i>)</li> <li>• Brussels-Capital Region: Vademecum for Brussels project promoters of the Recovery and Resilience Plan. Dated 2024. (<i>Vademecum pour les porteurs de projets bruxellois du Plan pour la Reprise et la Résilience</i>)</li> <li>• German-speaking Community: RRF Administrative Manual. Dated 7 April 2025. (<i>RRF Verwaltungshandbuch</i>)</li> </ul>	
3	Proof of the dissemination of the manuals of procedures/documents to the relevant implementing bodies for each Belgian entity.	Emails sent to the implementing bodies regarding the updated manuals and/or screenshots of where the updated documents have been uploaded to a jointly accessible Sharepoint.
4	Instructions of the Secretary of State for the Budget and for Recovery and Strategic Investments to the Inspectorate of Finance. (Annexes 6 and 7). Dated 12 January 2022 and 3 July 2023, respectively.	Federal: A communication from the Secretary of State to the Inspectorate of Finance (IF) which sets out the responsibilities of the IF in the context of the RRF at the Federal level.
5	User manual: Instructions related to carrying out a self-assessment in the framework of measures for fighting against fraud and corruption. ( <i>Manuel d'utilisation: Directives relatives à la réalisation d'une auto-évaluation dans le cadre de stratégies de lutte contre la fraude et la corruption</i> ). Dated March 2024.	Federal: Guidelines for carrying out the fraud risk self-assessment in the context of anti-fraud and anti-corruption strategies.
6	Self-assessment of risks: Protection of the financial interests of the Union.	Federal: A Powerpoint presentation from a training carried out in June 2024 on the fraud risk self-assessment tool.
7	Fraud risk self-assessment tool.	Federal: The fraud risk self-assessment tool (Excel) to be used.
8	Rules of procedure for the OLAF working group ( <i>Règlement d'ordre intérieur - Groupe de travail chargé de communiquer les cas d'irrégularités à l'OLAF</i> )	Wallonia: Internal document which describes the responsibilities and working methods of the working group which is tasked with communicating irregularities to OLAF.

9	Internal and external communication plan regarding whistleblowing channels ( <i>Plan de communication_Canal de signalement d'une irrégularité_SPW_Procédure modèles_cm_20240605</i> )	Wallonia: A communication plan which guides implementing bodies on how they should provide information on their internal and external channels (i.e. intranet and extranet) with regards to whistleblowing channels.
10	Anti-fraud policy	Wallonia: The validated anti-fraud policy of the Walloon Public Service ( <i>SPW - Service Public de Wallonie</i> ).
11	Protection of the financial interest of the Union in the context of the selection of projects financed by the Walloon component of the Belgian national Recovery and Resilience Plan. ( <i>Protection des intérêts financiers de l'Union dans le contexte de la sélection des projets financés par le volet wallon du Plan national belge pour la Reprise et la Résilience (PNRR)</i> )	Wallonia: A guidance note regarding the protection of the financial interests of the Union in the context of the selection of projects financed by the Belgian Recovery and Resilience Plan in Wallonia.
12	Procedure for communication between RRF coordinators and milestone and target controllers. ( <i>Procédure relative à la communication référents-contrôleurs dans le cadre des projets PNRR</i> ). Dated 29 August 2024.	Wallonia: A document which outlines the roles and responsibilities of the different actors involved in the management and control system in Wallonia (namely RRF coordinators ( <i>referent PNRR</i> ) and so-called 'milestone and target controllers').
13	Checklist – RRF public tenders	Wallonia: Two templates for the checklists to be used in the context of the verification of public procurement procedures, for contracts with a value of both greater than and less than EUR 30 000.
14	Checklist – State aid	Wallonia: A template for a checklist to be used in the context of the verification of State aid compliance.
15	Overview of controls conducted in the context of the RRF. ( <i>Synthèse des contrôles effectués dans le cadre du Plan National pour la Reprise et la Résilience</i> ).	Wallonia: A template for the report to be prepared in the context of the signature of the management declaration which provides an overview of the controls conducted.
16	Procedure for the control of irregularities (RRF) ( <i>Procédure de contrôle des irrégularités</i> ). Dated 22 October 2024.	Brussels Capital Region: A document which outlines the procedure for the control of irregularities.

17	Procedure for the analysis of risk indicators in Arachne. ( <i>Procédure d'analyse des indicateurs de risque dans Arachne</i> ). Dated 22 October 2024.	Brussels-Capital Region: A document which outlines the procedure to be followed as regards the analysis of Arachne risk indicators.
18	Checklist – public procurement	Brussels-Capital Region: A template for the checklist to be used in the context of the verification of public procurement procedures.
19	Anti-fraud policy of the Ministry of the Fédération Wallonie-Bruxelles ( <i>Politique de lutte contre la fraude au Ministère de la Fédération Wallonie-Bruxelles</i> ).	Fédération Wallonie-Bruxelles: The anti-fraud policy of the Ministry of the Fédération Wallonie-Bruxelles.
20	<ol style="list-style-type: none"> <li>1. Note on conflict-of-interest awareness.</li> <li>2. Anti-fraud policy.</li> <li>3. Conflict-of-interest procedure.</li> </ol>	Fédération Wallonie-Bruxelles: Documents related to the conflict of interest and anti-fraud policies of the Office of Birth and Childhood ( <i>l'ONE - l'Office de la Naissance et de l'Enfance (l'ONE)</i> ) in particular.
21	Checklist – State aid	Fédération Wallonie-Bruxelles: A template for a checklist to be used in the context of the verification of State aid compliance.
22	Fraud risk self-assessment tool.	Fédération Wallonie-Bruxelles: The fraud risk self-assessment tool (Excel).
23	User manual – Fraud risk self-assessment tool. Dated May 2024.	Fédération Wallonie-Bruxelles: Guidance document for using the fraud risk self-assessment tool.
24	Approval and implementation of version 3.1 of the manual of procedures. ( <i>Validation et mise en application de la version 3.1 de la note de procédure globale du PRR</i> ). Dated 20 February 2025.	Fédération Wallonie-Bruxelles: Validation of the manual of procedures by the Secretary General of the Ministry of Fédération Wallonie-Bruxelles (the coordinating body).
25	RRF anti-fraud policy statement.	Flanders: A template for the anti-fraud policy statement to be used by implementing bodies.
26	Fraud risk self-assessment tool.	German-speaking Community: The fraud risk self-assessment tool (Excel) to be used in the German-speaking Community.

### 3. Analysis:

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

**1. The coordinating bodies in the Belgian Recovery and Resilience Plan, [...], shall adapt their manual of procedures/documents outlining their management and control system [...] with the objective to strengthen the framework to prevent, detect, and correct any serious irregularities such as fraud, conflict of interest, corruption and double funding.**

Considering the constitutional framework in Belgium, each Federal and Federated entity (namely the Federal level, Wallonia, the Fédération Wallonie-Bruxelles, Flanders, the Brussels-Capital Region and the German-speaking Community) has its own coordinating body for the Recovery and Resilience Facility (RRF). For each of these six Belgian entities, the responsible coordinating body has adapted its manual of procedures/documents which outline the respective management and control systems for the implementation of RRF projects under its jurisdiction (evidence no.2). These adapted manuals of procedures/documents include provisions for anti-fraud and anti-corruption strategies, with the overall objective to strengthen the framework to prevent, detect, and correct any serious irregularities such as fraud, conflict of interest, corruption and double funding. These adapted manuals of procedures/documents include the related binding instructions for the implementing bodies. They outline the procedures to be followed in the context of the RRF in general, as well as the respective responsibilities of the coordinating and implementing bodies.

The date on which the manuals of procedures/documents were last updated is indicated on the cover page of each, as detailed below (evidence no.2):

For the Federal level, the manual of procedures was last updated on 6 December 2024 (evidence no.2).

For Wallonia, the manual of procedures was last updated on 28 January 2025 (evidence no.2).

For the Fédération Wallonie-Bruxelles, the manual of procedures was last updated on 24 December 2024 (evidence no.2). The manual was also validated by the Secretary General of the Ministry of Fédération Wallonie-Bruxelles on 20 February 2025 and is in effect as of 24 December 2024 (evidence no.2).

For Flanders, the manual of procedures was last updated on 3 December 2024 (evidence no.2).

For the Brussels-Capital Region, the manual of procedures does not indicate the precise date on which it was last updated; it specifies on its cover page that this is the updated 2024 version (evidence no.2). The Commission has received two versions of the manual during the preliminary assessment period for the second payment request; one submitted with the request for payment on 25 July 2024, and a revised version submitted to the Commission on 6 December 2024, which takes into account the observations of the Commission in the context of the preliminary assessment. As per the introductory section of the manual (evidence no.2, page 5), the manual was adopted by the government of the Brussels-Capital Region. The manual takes into account any evolutions at the European and inter-federal levels and can therefore, if necessary, be updated on this basis. In this case, the updated version will be communicated to the implementing bodies (evidence no.2, page 5). The most up-to-date version was communicated to the implementing bodies on 17 December 2024, as explained in the below section (evidence no.3).

For the German-speaking Community, page 2 of the manual of procedures (evidence no.2) provides the version history; the manual was last updated on 7 April 2025.

**[...] in collaboration with the implementing bodies if necessary [...]**

For Wallonia, the manual of procedures was drafted by the coordinating body, as evidenced on its cover page as well as in the introductory section (evidence no.2, pages 1 and 4). The collaboration of the implementing bodies was not necessary given the fact that the control system operates on a decentralised basis, which places the responsibility for implementing the general instructions outlined in the manual of procedures (evidence no.2) on each individual implementing body. Due to the decentralised nature of the governance of the RRF in Belgium, the general instructions (evidence no.2) also provide a certain level of discretion to the implementing bodies in how exactly they implement these instructions.

For the Fédération Wallonie-Bruxelles, section 1.3 of the manual of procedures (evidence no.2) specifies the authors of the manual, which include various departments of the coordinating body as well as the implementing bodies.

For the Brussels-Capital Region, the introductory section of the manual of procedures (evidence no.2, page 5) states that the manual was developed by the coordinating body, specifically the departments 'European Regional Development Fund' (ERDF) and 'Europe', as well as the administration of the Brussels-Capital Region 'Brussels Finance and Budget'. The collaboration of the implementing bodies was not necessary given the fact that the control system operates on a decentralised basis, which places the responsibility for implementing the general instructions outlined in the manual of procedures (evidence no.2) on each individual implementing body. Due to the decentralised nature of the governance of the RRF in Belgium, the general instructions (evidence no.2) also provide a certain level of discretion to the implementing bodies in how exactly they implement these instructions.

For the Federal level, Flanders and the German-speaking Community, the manual of procedures was submitted by the coordinating body. Whilst the collaboration of the implementing bodies is not explicitly mentioned in the manual itself, the control systems operate on a decentralised basis, which places the responsibility for implementing the general instructions outlined in the manual of procedures (evidence no.2) on each individual implementing body. Due to the decentralised nature of the governance of the RRF in Belgium, the general instructions (evidence no.2) also provide a certain level of discretion to the implementing bodies in how exactly they implement these instructions.

#### **[...] and issue related instructions to the implementing bodies [...]**

As outlined above, the adapted manuals of procedures/documents include the related binding instructions to the implementing bodies as regards the measures to be taken in the context of the implementation of RRF projects. The evidence of the dissemination of the adapted manuals of procedures/documents from the coordinating bodies to the implementing bodies has also been provided (evidence no.3); this dissemination is done either via email, and/or by uploading the relevant documents on a jointly accessible Sharepoint. When the latter method is used (at the Federal level), the Belgian authorities also provided to the Commission the agenda (evidence no.3) for a meeting that they held in order to answer any questions about the adapted manual of procedures.

For the Federal level, the adapted manual of procedures was uploaded to the jointly accessible Sharepoint on 6 December 2025 (FR version) and 17 December 2025 (NL version), as per the screenshot (evidence no.3). The meeting between the coordinating body and the representatives of the implementing bodies (the so-called 'Project Management Office network') was held on 14 January 2025 (evidence no.3).

For Wallonia, the adapted manual of procedures was shared via email with the implementing bodies on 6 February 2025 (evidence no.3). This email states that the manual has been amended, and highlights the key changes in this respect.

For the Fédération Wallonie-Bruxelles, the adapted manual of procedures was shared via email with the implementing bodies on 20 February 2025 (evidence no.3).

For Flanders, the adapted manual of procedures was shared via email with the implementing bodies on 3 December 2024 (evidence no.3).

For the Brussels-Capital Region, the adapted manual of procedures was shared via email with the implementing bodies on 17 December 2024; this email explicitly states that the manual was once more updated (evidence no.3). The updated manual was also shared on a jointly accessible Sharepoint on 4 December 2024, as per the screenshot (evidence no.3).

For the German-speaking Community, the adapted manual of procedures was shared via email with the implementing bodies on 7 April 2025. The email states that the amendments were accepted by the so-called 'RRF Monitoring Committee' without comments, and that the updated manual is in force as of the date of sending of the manual (evidence no.3).

## **2. The updated manual of procedures and related instructions shall include, as a minimum:**

### **(a) Provisions for anti-fraud and anti-corruption strategies/policies in all implementing bodies taking into consideration all the elements outlined in the Guidance Note on Fraud Risk Assessment and Effective and Proportionate Anti-Fraud Measures for ESIF 2014-2020;**

The manuals of procedures/documents (evidence no.2) adapted by the coordinating bodies at the Federal and Federated entity levels have been updated in order to strengthen the framework for anti-fraud and anti-corruption strategies. They have been updated to include provisions for anti-fraud and anti-corruption measures to be taken at the level of the implementing bodies which take into consideration all the elements outlined in the Guidance Note on Fraud Risk Assessment and Effective and Proportionate Anti-Fraud Measures for ESIF 2014-2020. The related measures include, amongst others, putting into place an anti-fraud policy, conducting a fraud-risk analysis on an annual basis, and provisions for raising staff awareness via trainings on fraud matters. In the manuals of procedures (evidence no.2) these matters are addressed in the respective sections:

For the Federal level, see section 7 (evidence no.2) on the anti-fraud policy and more specifically on the principles and measures for the protection of the financial interests of the Union.

For Wallonia, see section 2 (evidence no.2) on the protection of the financial interests of the Union.

For the Fédération Wallonie-Bruxelles, see section 3.2 on the protection of the financial interests of the Union and sections 10-15 on the framework in place for the prevention and detection of risks (evidence no.2).

For Flanders, see sections 3, 4 and 5 (evidence no.2) on the fraud risk self-assessment, anti-fraud policy and anti-fraud procedures, respectively.

For the Brussels-Capital Region, see section 6 (evidence no.2) on irregularities and on the protection of the financial interests of the Union.

For the German-speaking Community, see section 8 (evidence no.2) on the requirements for the protection of the financial interests of the Union.

**(b) Procedures ensuring that persons signing the management declaration(s) to the Commission obtain assurance about the satisfactorily fulfilment of the milestones and targets set in the RRP, that the funds were managed in accordance with all applicable rules, in particular rules on avoidance of conflicts of interest, fraud, prevention of corruption and double funding;**

The updated manuals of procedures adapted by the coordinating bodies (evidence no.2) describe the procedures by which assurance is obtained for the signing of the management declaration. The manuals of procedures are binding and must be adhered to by the implementing bodies. Therefore, this guarantees that the procedures for signing the management declaration, as described in the manuals, are ensured and as such, so is the assurance. In the manuals of procedures (evidence no.2) these matters are addressed in the respective sections:

For the Federal level, section 1.4.2 of the manual of procedures (evidence no.2) states that each implementing body shall establish its own internal control system, in accordance with all applicable national and European rules, as well as applying the prevention, detection and correction measures referred to in section 7. Section 7 states that the provisions are binding. In addition, section 2.1.2 of the manual of procedures in particular (evidence no.2) outlines the information that Project Management Officers (PMOs) within the implementing bodies must provide to the coordinating body in the context of the signature of the management declaration.

For Wallonia, page 9 of the manual of procedures (evidence no.2) refers to the binding nature of the document, which formalises the management and control system as well as the obligations stemming from the RRF Regulation.

For the Fédération Wallonie-Bruxelles, sections 1.2 and 1.3 of the manual of procedures (evidence no.2) refer to the binding nature of the same manual. The procedures and measures described within are applicable to all implementing bodies within the Ministry of the Fédération Wallonie-Bruxelles.

For Flanders, section 5 of the manual of procedures (evidence no.2) states that the instructions within provide an overview of the necessary operational elements to be included in the management and control systems of the implementing bodies. Section 5.4 of the same manual in particular highlights the minimum requirements to be included by the implementing bodies in their procedures for providing assurance when signing the management declaration.

For the Brussels-Capital Region, the introductory section of the manual of procedures (evidence no.2, page 5) refers to the binding nature of the document. It states that the manual has been approved by the government of the Brussels-Capital Region and that it has a regulatory value. The manual of procedures defines the obligations of implementing bodies as regards the implementation of RRF projects.

For the German-speaking Community, it is provided for in the introductory section of the manual of procedures (evidence no.2, section 1) that the manual sets out the binding procedures in the context of the RRF.

As regards the procedures in place ensuring that persons signing the management declaration(s) to the Commission obtain assurance, the Belgian entities generally follow a similar procedure whereby the

information as regards the satisfactory fulfilment of the milestones and targets and the information that the funds were managed in accordance with all applicable rules, in particular with regards to the protection of the financial interests of the Union, is collected starting at the lower levels of project implementation (such as by project managers) and is then passed up the implementation chain (in the format of a semestrial report, for example). In some cases, a management declaration is then signed at the level of the coordinating body of the individual Belgian entity, which is then transmitted to the national coordinating body (namely, *SPF BOSA – Service Public Fédéral Stratégie et Appui*). On the basis of all the collected information, the national management declaration is signed. In the manuals of procedures/documents (evidence no.2) these matters are addressed in the respective sections:

For the Federal level, see in particular pages 15-21 of the manual of procedures (evidence no.2) which outline the role of the various actors in the implementation and information flow chain, including the project management officers, risk officers and the Federal audit unit. These pages describe the information and documents that they must provide to the higher levels of the implementation chain. In addition, refer to sections 2.1.2, 2.1.3 and 2.1.4 of the same manual of procedures which describe this entire process ensuring that persons signing the management declaration(s) to the Commission obtain assurance at the Federal level. Annexes 7.1, 7.2 and 7.3 of the same manual of procedures provide the templates to be used for the management declarations to be signed at the various implementation levels.

For Wallonia, see pages 18-27 of the manual of procedures (evidence no.2) which detail the control steps to be taken. See also the template (evidence no.1) to be used by the relevant actors in order to produce a summary of the controls on milestones and targets as well as controls with regards to the protection of the financial interests of the Union which are described in the manual of procedures.

For the Fédération Wallonie-Bruxelles, refer to section 2.2 of the manual of procedures (evidence no.2) which outlines the different responsibilities of the various actors involved in the implementation chain, as well as section 4.1 of the same manual which outlines the control steps to be taken in the context of payment requests. In addition, refer to annex 17.1 of the same manual which provides the template for the management declaration to be signed at the level of the coordinating body of the Fédération Wallonie-Bruxelles and submitted to the coordinating body at the national level (SPF BOSA).

For Flanders, see in particular section 5.4 of the manual of procedures (evidence no.2) which outlines the procedures to ensure that persons signing the management declaration(s) to the Commission obtain assurance, and which describes the minimum requirements that the implementing bodies should include in their procedures in this respect.

For the Brussels-Capital Region, see in particular sections 5 and 8 of the manual of procedures (evidence no.2), which lay out the information reporting procedure and the information and/or documents to be provided from the lower levels of implementation to the higher levels. Refer also to the procedure for the control of irregularities within the RRF (evidence no.16), which provides a more detailed overview of the entire procedure, and specifically the procedure for the verification of irregularities.

For the German-speaking Community, see sections 5.1.2, 5.13 and 5.1.4 of the manual of procedures (evidence no.2). See also annex 2 of the same manual of procedures which provides the template for the management declaration to be signed at the level of the coordinating body of the German-speaking Community and submitted to the coordinating body at the national level (SPF BOSA).

**(c) Provisions requiring functional internal and external whistleblowing channels within all bodies;**

The updated manuals of procedures (evidence no.2) adapted by the coordinating bodies contain provisions requiring functional internal and external whistleblowing channels. The manuals of procedures also include references to the legal texts which set out the whistleblowing channels in the individual Belgian entities. In the manuals of procedures/documents (evidence no.2) these matters are addressed in the respective sections:

For the Federal level, section 7.3.1.2 of the manual of procedures (evidence no.2) describes the provisions for functional internal and external whistleblowing channels. Any whistleblower who has information concerning a potential irregularity can utilise the channels in place in their administration or, in the absence of these, they can direct their reports to the internal Federal audit service. Otherwise, external reporting is made possible through the Federal Ombudsman. These channels are accessible to any person wishing to make a report which concerns a Federal public service, and are therefore accessible in both the coordinating and implementing bodies. A link to the website of the coordinating body is provided on page 72 of the manual of procedures (evidence no.2), where more detailed information as regards functional internal and external whistleblowing channels at the Federal level is provided (including the different channels available, contact details, and in which situations reports can be signaled, amongst other information). The Law of 8 December 2022 on the reporting channels and the protection of persons reporting breaches of integrity in federal public bodies and within the integrated police is also referred to in the manual of procedures (evidence no.2).

In Wallonia, the provisions requiring functional internal and external whistleblowing channels within all bodies are provided for on page 45 of the manual of procedures (evidence no.2). In this regard, irregularities within any Walloon public service (*SPW - Service Public de Wallonie*), which encompasses the coordinating body (namely the Secretariat-General of the Walloon Public Service – *SPW Secrétariat général*) and implementing bodies, can be signaled internally to a designated integrity correspondent, or externally to the Ombudsman for Wallonia and the Fédération Wallonie-Bruxelles. In this respect, reference is made on page 45 of the same manual of procedures (evidence no.2) to the Decree of the Walloon Government of 13 October 2022 laying down the various provisions relating to the reporting of information on a suspected irregularity within a department of the Walloon Government or a public-interest body to which the Decree of 22 January 1998 on the staff regulations of certain public-interest bodies in the Walloon Region applies. Reference on page 45 of the same manual of procedures (evidence no.2) is also made to the Joint Decree of 20 July 2023 of the French Community and the Walloon Region in relation to the Mediation Service common to the French Community and the Walloon Region. The coordinating body has also prepared a separate document (evidence no.9) which describes the communication plan that implementing bodies should follow in order to provide accessible information regarding whistleblowing channels. The provisions regarding internal and external whistleblowing channels are also reiterated in the anti-fraud policy of the Walloon public service (evidence no.10, pages 7-8).

For the Fédération Wallonie-Bruxelles, the internal and external whistleblowing channels are in place and are applicable to the entirety of the Ministry of the Fédération Wallonie-Bruxelles (MFWB), thereby including the coordinating body (which is the Directorate for International Relations under the Secretariat general of the MFWB) and implementing bodies. These channels are described in section 13 of the manual of procedures (evidence no.2). Within the MFWB there is an integrity correspondent, available to both the coordinating body and implementing bodies, to whom irregularities can be reported. Alternatively, irregularities can be reported to the Ombudsman of the Fédération Wallonie-Bruxelles, to a so-called

OLAF working group, or to the Joint Audit Service. The Decree of 6 July 2022 of the Government of the French Community lays down the various provisions relating to reporting by a member of staff of an irregularity within a department of the Government of the French Community or a public-interest body within the remit of Committee of Sector XVII (evidence no.2).

For Flanders, the manual of procedures (evidence no.2) states that any implementing body within the Flemish administration that concludes projects or contracts contributing to the achievement of RRF measures must have fully functioning internal and external whistleblowing schemes (evidence no.2, section 5.2.2.1). As per the manual of procedures (evidence no.2, section 5.2.2.1), the internal reporting channels of the Flemish administration, which encompasses also the coordinating body (namely, the Department for Finance and Budget - *Departement financien & begroting*), are the line managers and/or Audit Flanders, which is an agency of the Flemish administration. The external channel is the Flemish Ombudsman. Section 5.2.2.1 of the same manual of procedures (evidence no.2) also provides links to the information regarding the above internal and external whistleblowing channels which is present on the website of the Flemish administration and which concerns both the coordinating body and implementing bodies. As per section 5.2.2.1 of the same manual of procedures (evidence no.2), the Decree of 18 November 2022 introduced the current whistleblowing scheme for the Flemish administration; Article 15 of the Decree determines the public authorities to which the whistleblowing regime applies.

For the Brussels-Capital Region, section 6.13 of the manual of procedures (evidence no.2) outlines the provisions with regards to whistleblowing channels within the coordinating and implementing bodies. At the level of the coordinating body (namely, the public service administration 'Brussels International'), reports can be made either to the Internal Audit Directorate, or to the Brussels Ombudsman. As for implementing bodies, the manual of procedures (evidence no.2, section 6.13) requires that within so-called project promoters (that is, the implementing bodies), provisions must be made for operational channels for internal and external reporting of irregularities. As per section 6.3 of the same manual of procedures (evidence no.2), implementing bodies must submit to the coordinating body a note detailing the internal mechanisms that enable the implementing body concerned to detect, prevent and, if necessary, sanction fraud, conflicts of interest and corruption. This note shall include, amongst others, the reporting mechanisms in cases of suspected fraud. As per section 6.13 of the same manual of procedures (evidence no.2), most project promoters are subject to the Order of the Government of the Brussels-Capital Region of 7 December 2023 implementing Article 15 (2) of the Joint Decree and Order of 16 May 2019 on the Ombudsman in Brussels. If no authority considers itself competent to receive a report, the Federal Ombudsman plays this role (evidence no.2, section 6.13). Entities that are not subject to the aforementioned law (such as universities), are subject to the Law of 28 November 2022 on the protection of persons who report breaches of Union or national law detected within a legal entity in the private sector. Chapters 3 and 4 of the Law describe the provisions with regards to internal and external whistleblowing channels.

In the German-speaking Community, section 8.2.2 of the manual of procedures (evidence no.2) describes the provisions for functional internal and external whistleblowing channels, both in implementing and coordinating bodies. They are established by the Decree laying down various tools for information and complaint management in the German-speaking Community of 21 February 2022. As per section 8.2.2 of the same manual (evidence no.2), this Decree requires the coordinating body and the so-called project promoters (that is, the implementing bodies) to be classified as public bodies within the meaning of the Decree to establish functional internal and external whistleblowing channels. For private companies, the Law on the protection of persons reporting on breaches of Union or national law found in a private legal entity of 28 November 2022 provides for the establishment of these channels. As per section 8.2.2 of the

same manual (evidence no.2), the coordinating body and the project promoters are obliged to publish the information as regards whistleblowing channels on their websites.

**(d) Provisions requiring on-the spot verifications by the implementing bodies or the coordinating body (Brussels-Capital Region), with particular focus to the protection of the financial interests of the Union;**

The updated manuals of procedures adapted by the coordinating bodies (evidence no.2) contain provisions requiring on-the-spot verifications, targeting in particular the protection of the financial interests of the Union. These on-the-spot controls are carried out at the level of the implementing bodies for the Federal level, and in Wallonia, the Fédération Wallonie-Bruxelles, Flanders and the German-speaking Community. In the Brussels-Capital Region, they are carried out at the level of the coordinating body. In the manuals of procedures (evidence no.2) these matters are addressed in the respective sections:

For the Federal level, sections 7.4.2 and 7.4.2.2 of the manual of procedures (evidence no.2) cover the requirements for on-the-spot controls by the implementing bodies. Section 7.4.2.2.1 of the same manual (evidence no.2) outlines in particular the objectives of these on-the-spot controls, highlighting the detection of fraud and irregularities as one of the objectives.

For Wallonia, pages 63-64 of the manual of procedures (evidence no.2) contain the provisions requiring implementing bodies to conduct on-the-spot controls. These pages also describe the objectives of these on-the-spot controls conducted by implementing bodies. The control objectives include verifying the compliance of the final recipient's accounts with the declaration of receipts and the absence of any double funding, as well as verifying the internal measures taken by the final recipient to prevent and detect risks of conflicts of interest, fraud and corruption.

For the Fédération Wallonie-Bruxelles, section 10 of the manual of procedures (evidence no.2) describes the cross-cutting measures in place for the prevention and detection of the risks of fraud, corruption, conflict of interest and double funding. Section 10.5 of the same manual (evidence no.2) refers in particular to on-the-spot controls. Refer also to section 2.2.11 of the same manual (evidence no.2), which describes the roles and responsibilities of each of the actors involved in the implementation of RRF projects. Here, it is stated that so-called functional administrations (that is, the implementing bodies) are responsible for conducting on-the-spot controls.

For Flanders, section 5.2.1 of the manual of procedures (evidence no.2) outlines the obligations for implementing bodies with regards to their management and control strategies. As per the manual, the management and control strategies should provide for adequate procedures requiring controls by the implementing bodies, paying particular attention to obligations relating to the protection of the financial interests of the Union and compliance with Union and national law, in particular public procurement and State aid. Section 5.2.1.4 of the same manual (evidence no.2) refers in particular to on-the-spot controls.

For the Brussels-Capital Region, on-the-spot controls are carried out by the coordinating body instead of the implementing bodies. Provisions in this regard are provided for in sections 3.1.1 and 6.8 of the manual of procedures (evidence no.2). Section 3 of the same manual of procedures (evidence no.2) states that the project owner accepts that on-the-spot checks may be carried out to verify compliance with the applicable rules and the conditions set out in the Recovery and Resilience Plan, and that these checks will focus in particular on the achievement of milestones and targets, the prevention, detection and correction of irregularities, and the avoidance of double funding.

For the German-speaking Community, section 8 of the manual of procedures (evidence no.2) sets out the obligations for conducting on-the-spot controls by the implementing bodies, describing in which cases this should occur. This section 8 (evidence no.2) also states that the purpose of the on-the-spot checks is to randomly verify the achievement of the objectives and to dispel or confirm possible irregularities in relation to the protection of the EU's financial interests, in particular as regards the risks of fraud, corruption and conflicts of interest.

**(e) Procedures on the reporting of irregularities to OLAF and other competent authorities within all bodies;**

The updated manuals of procedures adapted by the coordinating bodies (evidence no.2) contain provisions and the corresponding criteria for the reporting of irregularities to OLAF (European Anti-Fraud Office - *Office européen de lutte antifraude*) and other competent authorities, such as the EPPO (European Public Prosecutor's Office). In the manuals of procedures (evidence no.2) these matters are addressed in the respective sections:

For the Federal level, sections 7.5.3 and 7.5.4 of the manual of procedures (evidence no.2) concern reporting to the Commission and to OLAF. A link is provided in section 7.5.4 of the same manual (evidence no.2) to OLAF's website, where further information regarding, in particular, the publicly accessible channels for reporting to OLAF is made available. These channels can be used by anyone, including by members of the coordinating and/or implementing bodies. Sections 7.5.5 and 7.5.6 of the same manual of procedures (evidence no.2) refer to reporting to other competent authorities, including the so-called King's Prosecutor (*le procureur du Roi*) and to the EPPO.

For Wallonia, pages 60 and 61 of the manual of procedures (evidence no.2) outline the process for communicating irregularities to OLAF via a so-called OLAF working group. The group is comprised of several actors, including the administrations responsible for the monitoring and control of several European funds, including the RRF, as well as the administration in charge of the budget and the treasury, and the audit unit of the Inspectorate of Finances, amongst others. The Department of Financial Control and Monitoring (*DSC - Direction du Suivi financier et du contrôle*), which forms part of the coordinating body, assumes the role of the secretariat of the group, and is charged with communicating any potential irregularities that have been identified to OLAF. Annex 13 of the same manual (evidences no.2 and 8) outlines the working methods of this working group. Refer also to page 45 of the same manual (evidence no.2) which describes procedures for reporting to competent authorities other than OLAF.

For the Fédération Wallonie-Bruxelles, section 13 of the manual of procedures (evidence no.2) describes the measures in place for the reporting of irregularities to various competent authorities. Sections 13.2.2 and 13.3.2 of the same manual (evidence no.2) describe in particular the procedure for reporting to OLAF. So-called project promoters (that is, implementing bodies) must submit to the coordinating body (which is the Directorate for International Relations under the Secretariat General of the MFWB) any cases of irregularities. A working group is then organised, comprising various actors involved in the RRF implementation, to discuss the identified irregularities and the next steps with regards to escalating the report to OLAF, in accordance with the procedure for OLAF reporting as described in section 13 of the manual of procedures (evidence no.2).

For Flanders, section 5.2.2.2 of the manual of procedures (evidence no.2) describes the procedures in place as regards reporting to OLAF, the EPPO, and the so-called King's Prosecutor (*Procureur des Konings*).

A link is also provided in section 5.2.2.2 of the same manual (evidence no.2) to OLAF's website, where further information regarding, in particular, the publicly accessible channels for reporting to OLAF is made available. These channels can be used by anyone, including by members of the coordinating and/or implementing bodies.

For the Brussels-Capital Region, section 3.3 of the manual of procedures (evidence no.2) describes the procedure for reporting to OLAF. This is done directly by the coordinating body via OLAF's electronic system. The implementing bodies report to the coordinating body on irregularities identified during the implementation of their project in the context of the bi-annual project reporting (evidence no.2, section 5.3). With each bi-annual report, the implementing bodies must submit a declaration on honour as regards the absence of irregularities for the reporting period (evidence no.2, section 8.3). Refer also to section 6.13 of the same manual (evidence no.2) which describes procedures for reporting to competent authorities other than OLAF. The Council Implementing Decision required procedures on the reporting of irregularities to OLAF and other competent authorities within all bodies. In the case of Brussels-Capital Region, irregularities are reported to OLAF by the coordinating body only, as described in section 3.3 of the manual of procedures (evidence no.2). Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, this is acceptable due to the way that the RRF is implemented in the Brussels-Capital Region. Given the small size of the Brussels-Capital Region, the coordinating body often assumes a more important role in the governance of RRF projects, and as such, it is acceptable that the coordinating body takes on this responsibility instead of the implementing bodies. This minimal substantive deviation does not change the nature of the milestone because the objective of this constitutive element of the milestone is still achieved, namely, that there are procedures ensuring that irregularities are reported to OLAF and other competent authorities, within the overall context of the milestone which is to strengthen the Belgian framework to prevent, detect, and correct any serious irregularities such as fraud, conflict of interest, corruption and double funding. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

For the German-speaking Community, section 8 of the manual of procedures (evidence no.2) provides for the procedures for reporting irregularities to the European Commission and to OLAF. The coordinating body is obliged to report all serious irregularities to the Commission and OLAF. If the report originates from a so-called project promoter (that is, an implementing body), it is forwarded to the coordinating body which then submits the notification to the Commission and OLAF. Refer also to section 8.2.2 of the same manual (evidence no.2) which describes procedures for reporting to competent authorities other than OLAF.

**(f) Procedures with regard to the verification of compliance with Union and national law, in particular concerning public procurement and State aid, within the implementing bodies.**

The updated manuals of procedures adapted by the coordinating bodies (evidence no.2) contain provisions regarding the procedures for the verification of compliance with Union and national law, in particular concerning public procurement and State aid.

For the Federal level, public procurement controls are to be carried out by the implementing bodies via a checklist which is annexed to the manual of procedures (evidence no.2, section 7.4.2.1.2). With regards to verifications on State aid, provisions are provided for in sections 6 and 7.4.2.1.3 of the manual of procedures (evidence no.2).

In Wallonia, the verification of public procurement is carried out either by the implementing bodies, or by the Department for Financial Control and Monitoring (*DSC - Direction du Suivi financier et du Contrôle*), which is part of the coordinating body. Which entity conducts the controls is dependent on the nature and value of the contract (evidence no.2, pages 52-69). The coordinating body provides a checklist to the implementing bodies to use in the context of their public procurement controls (evidence no.13). In addition, the information and documents to be collected and stored in the IT tool of the SPW as regards public procurement procedures is detailed on pages 53 and 65 of the same manual (evidence no.2). The Council Implementing Decision required procedures with regards to the verification of compliance with Union and national law, in particular concerning public procurement and State aid, within the implementing bodies. In the case of Wallonia, the public procurement controls are not conducted in all cases by the implementing bodies, because they are sometimes conducted at the level of the coordinating body, as explained on pages 52-69 of the manual of procedures (evidence no.2). In particular, pages 66-69 of the same manual (evidence no.2) describe the roles of the different actors involved in the implementation of RRF projects, which can vary depending on the type of project. In this regard, it is explained that the DSC conducts the check on public procurement only in the case of a grant awarded by the SPW to an implementing body (so-called 'project promoter') who carries out a public procurement procedure for a value less than or equal to EUR 30 000. In this case, the DSC also conducts the first-level check on the supporting documentation for the expenditure. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, procedures with regard to the verification of compliance with Union and national law, in particular concerning public procurement, are indeed in place. This minimal substantive deviation does not change the nature of the milestone because the objective of this constitutive element of the milestone is still achieved, namely, that there are procedures in place for conducting controls on public procurement, which is in line with the overall objective of the milestone which is to strengthen the Belgian framework to prevent, detect, and correct any serious irregularities such as fraud, conflict of interest, corruption and double funding. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

With regards to State aid, it is the responsibility of the implementing bodies to conduct the relevant analyses. A checklist is made available to them on the website of the coordinating body (evidence no.2, pages 63-69, and evidence no.14).

For the Fédération Wallonie-Bruxelles, the organisation of the public procurement at the level of the implementing bodies is also reviewed in some cases by the Department of Public Procurement (*DMPA - Direction des Marchés publics et Achats*) within the Ministry of the Fédération Wallonie-Bruxelles, which verifies compliance with public procurement legislation both before the tender process is launched and before the contract is awarded for contracts of a value greater than EUR 30 000 (evidence no.2, section 12.4.2.1). Where relevant, the specific procedures as regards public procurement controls for each project implemented in the Fédération Wallonie-Bruxelles are described in the project-specific fiches in section 16 of the same manual (evidence no.2); this section provides an overview of the implementation process per project. The Council Implementing Decision required procedures with regards to the verification of compliance with Union and national law, in particular concerning public procurement and State aid, within the implementing bodies. In the case of the Fédération Wallonie-Bruxelles, the public procurement controls are in some cases conducted by a department of the coordinating body (namely, the DMPA) rather than the implementing bodies, as described in sections 12.4.2.1 and 16 of the manual of procedures (evidence no.2). Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, procedures with regard to the verification of compliance with Union and

national law, in particular concerning public procurement, are indeed in place. This minimal substantive deviation does not change the nature of the milestone because the objective of this constitutive element of the milestone is still achieved, namely, that there are procedures in place for conducting controls on public procurement, which is in line with the overall objective of the milestone which is to strengthen the Belgian framework to prevent, detect, and correct any serious irregularities such as fraud, conflict of interest, corruption and double funding. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled. In terms of State aid, the verification of compliance with the applicable legislation is the responsibility of the implementing bodies (evidence no.2, section 5).

For Flanders, the implementing bodies (so-called 'policy areas') are each responsible for their own management control systems (MCS). The manual of procedures states that the MCS' of the policy areas therefore must provide for adequate procedures requiring controls, paying particular attention to obligations relating to the protection of the financial interests of the Union and compliance with Union and national law, in particular public procurement and State aid. The minimum requirements that implementing bodies must account for in terms of their controls are specified in section 5.1 of the manual of procedures (evidence no.2).

For the Brussels-Capital Region, public procurement controls are to be carried out by the coordinating body. The scope of the controls depends on factors such as the value of the contract (greater or lesser than EUR 30 000) (evidence no.2, section 6.1). The Council Implementing Decision required procedures with regards to the verification of compliance with Union and national law, in particular concerning public procurement and State aid, within the implementing bodies. In the case of the Brussels-Capital Region, the public procurement controls are conducted by the coordinating body rather than the implementing bodies, as described in section 6.1 of the manual of procedures (evidence no.2). In this regard, there are three different scenarios identified (evidence no.2, page 29). The first scenario relates to public contracts for which the Inspectorate of Finance has already provided a favourable opinion, and which are subject to a more limited control by the coordinating body. The second scenario relates to small value contracts (namely, less than EUR 30 000), which are also subject to a more limited control by the coordinating body. Other contracts are subject to a more detailed control by the coordinating body, in accordance with a checklist (evidence no.18). The documents that the implementing body (so-called 'project promoter') must provide to the coordinating body, and the way in which they must transmit them, in the context of these checks on public procurement is provided for on page 29 of the same manual (evidence no.2). Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, procedures with regard to the verification of compliance with Union and national law, in particular concerning public procurement, are indeed in place. Given the small size of the Brussels-Capital Region, the coordinating body usually assumes a more important role and as such it is acceptable that the coordinating body takes on this responsibility instead of the implementing bodies. This minimal substantive deviation does not change the nature of the milestone because the objective of this constitutive element of the milestone is still achieved, namely, that there are procedures in place for conducting controls on public procurement, which is in line with the overall objective of the milestone which is to strengthen the Belgian framework to prevent, detect, and correct any serious irregularities such as fraud, conflict of interest, corruption and double funding. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

Compliance with regards to State aid legislation is the responsibility of the so-called project promoters (that is, implementing bodies) (evidence no.2, section 15).

In the German-speaking Community, section 8.2.1 of the manual of procedures (evidence no.2) outlines the provisions with regards to the verification of compliance with Union and national law, in particular concerning public procurement and State aid. Project promoters (that is, implementing bodies) must submit to the coordinating body a report which sets out their internal mechanisms that allow them to check compliance with public procurement legislation. The coordinating body then assesses the report and decides whether to carry out further checks. With regards to State aid, the assessment of compliance with the relevant rules has already been completed for all RRF projects given the limited number in the German-speaking Community (evidence no.2, section 9).

**In addition, where the Inspectorate of Finance has been tasked with responsibility for such controls, the relevant coordinating body shall adopt and send a communication to the Inspectorate of Finance with regard to the ex-ante verifications on compliance with Union and national law and on the protection of the financial interests of the Union to be conducted in line with Regulation (EU) 2021/241.**

With regards to the role of the Inspectorate of Finance (IF), in the case of the Federal level the IF has been formally tasked with an ex-ante verification role in the context of the RRF for State aid matters only (and not for public procurement) (evidence no. 4, sections 1.4 and 3.3). The IF must assess whether project promoters (that is, implementing bodies) have conducted the necessary State aid analyses and taken adequate measures with regards to State aid legislation. This responsibility is officially communicated to the IF via the Instructions from the Secretaries of State for the Budget and for Recovery and Strategic Investments, which are dated 12 January 2022 (evidence no.4). According to these instructions, the IF must have verified the project file before the coordinating body can allocate the funds to that project.

The Council Implementing Decision required that the relevant coordinating body shall adopt and send a communication to the Inspectorate of Finance. In this case, it is the Secretaries of State for the Budget and for Recovery and Strategic Investments who have adopted and sent the communication to the IF instead (evidence no.4). Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, because it is not the coordinating body itself that has sent the communication, the deviation is acceptable because of the organisational structure in Belgium, which means that at the time of the sending of the communication (evidence no.4), the coordinating body of the RRP at the Federal level fell under the jurisdiction of the Cabinet of the Secretary of State for Recovery and Strategic Investments. In addition, given the individual powers of the Inspectorate of Finance, the coordinating body itself does not have sufficient competencies to instruct the IF in such a way. As such, given the organisational structure in Belgium, the communication was sent by the Secretaries of State for the Budget and for Recovery and Strategic Investments. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

In the case of the Brussels-Capital Region and the Fédération Wallonie-Bruxelles, the IF plays a general role with regards to budgetary controls, including in the context of the ex-ante verification of public contracts. The Council Implementing Decision required that the relevant coordinating body shall adopt and send a communication to the Inspectorate of Finance. In this case, given that the role of the IF in the Brussels-Capital Region and the Fédération Wallonie-Bruxelles is a general role which it assumes with regards to all public contracts, and that this role is not specifically delegated to them in the context of

public contracts under the RRF, the provisions in this regard are provided for by law as opposed to a specific communication from the coordinating body (see for Brussels-Capital Region - Order of the Government of the Brussels-Capital Region of 16 December 2021 on budgetary control, establishing the budget, amending the budget and monitoring the implementation of the budget of the regional entity and, and for Fédération Wallonie-Bruxelles - Order of the Government of the French Community of 28 November 2013 on the organisation of internal budgetary and accounting checks and audits and administrative and budgetary checks). Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, because it is not the coordinating body itself that has sent the communication, the deviation is acceptable because the role of the IF is enshrined in law and the IF is indeed informed of its responsibilities with regards to the ex-ante verifications via the aforementioned laws. As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled. For the other Belgian federated entities, the Inspectorate of Finance is not involved in ex-ante verifications on State aid or public procurement, as per the manuals of procedures/documents (evidence no.2).

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

**Number and name of the Milestone:** 251 - Prevention, detection and deterrence of conflict of interest

**Related Measure:** BE-C[CAC]-R[R-1], Monitoring and implementation of the plan

**Qualitative Indicator:** Issued instructions.

**Time:** Before the second payment request

**1. Context:**

The measure aims at the monitoring and implementation of the Belgian Recovery and Resilience Plan and covers the two audit and control milestones which form part of the second payment request.

Milestone 251 requires the coordinating bodies to issue instructions to all implementing bodies with regards to ex-ante verifications before the signature of the contract or the award of the grant of the risk for conflict of interest in the implementation of Recovery and Resilience Facility (RRF) measures. This shall include (i) mandatory declarations on the absence of conflict of interest from the persons involved at all stages of the selection procedures for both calls for tenders and calls for projects and (ii) on a risk basis, the use of an appropriate risk-scoring tool in view of performing the checks on conflict of interest outlined in the instructions. The instructions shall define conflict of interest in line with Article 61 of the Financial Regulation.

**2. Evidence provided:**

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note	A summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and the corresponding measure in the CID annex) was satisfactorily fulfilled. One for each Belgian entity.
2	Copy of the adapted manuals of procedures/documents for each Belgian entity. <ul style="list-style-type: none"><li>- Federal: Vademecum – Recovery and Resilience Plan. Dated 6 December 2024. (<i>Vademecum - Plan pour la reprise et la résilience</i>)</li><li>- Wallonia: Management and Control System. Dated 28 January 2025.</li></ul>	Written instructions regarding the management and control systems of the entities concerned and which include the provisions for ex-ante verifications in the implementation of the Recovery and Resilience Facility. In the case of Flanders, this is the document entitled ‘ “RRF – M251. Instructions for carrying out the control of conflicts of interest.”. For all other Belgian entities, this is the manual of procedures which is also relevant in the context of M250.

	<p>(<i>Système de gestion et contrôle</i>)</p> <ul style="list-style-type: none"> <li>- Fédération Wallonie-Bruxelles: Global procedural note on the management and control system of the Recovery and Resilience Plan in the Fédération Wallonie-Bruxelles. Dated 24 December 2024. (<i>Note de procédure globale relative au système de gestion et de contrôle du Plan de relance et de résilience pour la Fédération Wallonie-Bruxelles</i>)</li> <li>- Flanders: RRF – M251. Instructions for carrying out the control of conflicts of interest. Dated 3 December 2024. (<i>RRF – M251. Instructies voor de uitvoering van de controle op belangenconflicten</i>)</li> <li>- Brussels-Capital Region: Vademecum for Brussels project promoters of the Recovery and Resilience Plan. Dated 2024. (<i>Vade-mecum pour les porteurs de projets bruxellois du Plan pour la Reprise et la Résilience</i>)</li> <li>- German-speaking Community: RRF Administrative Manual. Dated 7 April 2025. (<i>RRF Verwaltungshandbuch</i>)</li> </ul>	
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3	Proof of the dissemination of these manuals of procedures/documents to the relevant implementing bodies for each Belgian entity.	Emails sent to the implementing bodies regarding the updated manuals and/or screenshots of where the updated documents have been uploaded to a jointly accessible Sharepoint.
4	Declaration of absence of conflict of interest ( <i>Déclaration d'absence de conflit d'intérêt</i> )	Federal: Template for the declaration of the absence of conflict of interest.
5	Procedure for the control of irregularities (RRF) ( <i>Procédure de contrôle des irrégularités</i> ). Dated 22 October 2024.	Brussels Capital Region: A document which outlines the procedure for the control of irregularities.
6	Declaration on honour of the absence of conflicts of interests, fraud and corruption ( <i>Déclaration sur l'honneur d'absence de conflits d'intérêts, de fraude et de corruption</i> )  Declaration of absence of conflict of interest ( <i>Déclaration sur l'honneur d'absence de conflit d'intérêts</i> )	Brussels-Capital Region: Templates for the declarations of absence of conflict of interest for grants and public tenders.
7	Protection of the financial interest of the Union in the context of the selection of projects financed by the Walloon component of the Belgian national Recovery and Resilience Plan. ( <i>Protection des intérêts financiers de l'Union dans le contexte de la sélection des projets financés par le volet wallon du Plan national belge pour la Reprise et la Résilience (PNRR)</i> )	Wallonia: A guidance note regarding the protection of the financial interests of the Union in the context of the selection of projects financed by the Belgian Recovery and Resilience Plan in Wallonia.

### 3. Analysis:

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

**The coordinating bodies in the Belgian Recovery and Resilience Plan shall issue instructions to all implementing bodies with regard to ex-ante verifications before the signature of the contract or the award of the grant, of the risk for conflict of interest in the implementation of RRF measures.**

Considering the constitutional framework in Belgium, each Federal and Federated entity (namely the Federal level, Wallonia, the Fédération Wallonie-Bruxelles, Flanders, the Brussels-Capital Region and the German-speaking Community) has its own coordinating body for the RRF. For each of these six Belgian entities, the responsible coordinating body in the Belgian Recovery and Resilience Plan has adapted its manual of procedures/documents which outline the respective management and control systems for the implementation of RRF projects under its jurisdiction (evidence no.2). The manuals of procedures/documents (evidence no.2) have been adapted to include provisions regarding the ex-ante verifications, before the signature of the contract or the award of the grant, which are to be conducted in the context of managing the risk of conflict of interest in the implementation of RRF measures. These adapted manuals of procedures/documents include the related instructions for the implementing bodies. They outline the procedures to be followed in the context of the RRF in general as well as the respective responsibilities of the coordinating and implementing bodies.

The provisions as regards the ex-ante verifications are included in the general manuals of procedures in the case of the Federal level, Wallonia, the Fédération Wallonie-Bruxelles, the Brussels-Capital Region and the German-speaking community. For Flanders, a separate instructions documents has been issued to instruct implementing bodies with regard to ex-ante verifications in the context of this milestone specifically (evidence no.2). In the manuals of procedures/documents (evidence no.2), the provisions for ex-ante verifications before the signature of the contract or award of the grant are addressed in the respective sections:

For the Federal level, section 7.3.6 of the manual of procedures (evidence no.2).

For Wallonia, pages 40 to 44 of the manual of procedures (evidence no.2).

For the Fédération Wallonie-Bruxelles, section 10.2 of the manual of procedures (evidence no.2).

For Flanders, the instructions document (evidence no.2) focuses specifically on the ex-ante verifications, and as such the document in its entirety is relevant.

For the Brussels-Capital Region, section 6.1 on public tenders and section 6.6 on grants (evidence no.2).

For the German-speaking Community, section 8 and specifically section 8.2.4 (evidence no.2).

**[...] shall issue instructions to all implementing bodies [...]**

As outlined above, the adapted manuals of procedures/documents contain the related instructions to the implementing bodies as regards the measures that they must take in the context of the implementation of RRF projects, including the measures to be taken with regards to ex-ante verifications. The responsibilities of the implementing bodies in this regard are described in the adapted manuals of procedures/documents (evidence no.2). The evidence of the dissemination of the adapted manuals of procedures/documents from the coordinating bodies to the implementing bodies has also been provided (evidence no.3); this dissemination is done either via email, and/or by uploading the relevant documents on a jointly accessible Sharepoint. When the latter method is used (at the Federal level), the Belgian authorities also provided to the Commission the agenda for a meeting that they held in order to answer any questions about the adapted manual (evidence no.3).

For the Federal level, the adapted manual of procedures was uploaded to the Sharepoint on 6 December 2024 (FR version) and 17 December 2024 (NL version), as per the screenshot (evidence no.3). The meeting between the coordinating body and the representatives of the implementing bodies (so-called 'Project Management Officer network') was held on 14 January 2025 (evidence no.3).

For Wallonia, the adapted manual of procedures was shared with the implementing bodies via email on 6 February 2025 (evidence no.3). This email states that the manual has been amended, and highlights the key changes in this respect.

For the Fédération Wallonie-Bruxelles, the adapted manual of procedures was shared via email with the implementing bodies on 20 February 2025 (evidence no.3).

For Flanders, the adapted instructions document was shared via email with the implementing bodies on 3 December 2024 (evidence no.3).

For the Brussels-Capital Region, the adapted manual of procedures was shared via email with the implementing bodies on 17 December 2024; this email explicitly states that the manual was once more updated (evidence no.3). The updated manual was also shared on a jointly accessible Sharepoint on 4 December 2024, as per the screenshot (evidence no.3).

For the German-speaking Community, the adapted manual of procedures was shared via email with the implementing bodies on 7 April 2025. The email states that the amendments were accepted by the so-called 'RRF Monitoring Committee' without comments, and that the updated manual is in force as of the date of sending of the manual (evidence no.3).

**This shall include (i) mandatory declarations on the absence of conflict of interest from the persons involved at all stages of the selection procedures for both calls for tenders and calls for projects**

For the Federal level, section 7.3.4 of the manual of procedures (evidence no.2) refers to the mandatory use of declarations on the absence of conflicts of interest (DACI) for any person invited to take part in a public procurement procedure or a call for projects. A link to the template for the DACI is provided in annex 8 of the manual of procedures (evidence no.4). The text of the template states that it must be completed for each public procurement procedure or call for projects in the context of an RRF project and by each person participating in the preparation, evaluation and attribution of the public tender and/or call for projects.

For Wallonia, pages 40 to 44 of the manual of procedures (evidence no.2) describe the provisions regarding mandatory DACIs to be signed. More specifically, the manual states that in the context of the selection and management of RRF projects, all financial actors are required to sign a declaration of absence of conflicts of interest, in accordance with the provisions of Article 61 of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 (evidence no.2, page 40). In addition, in the context of the management of RRF projects, each person involved must sign a DACI to be updated annually. Lastly, in the context of public procurement procedures, contracting authorities will be required to complete and sign declarations guaranteeing the absence of conflicts of interest at any stage of the procurement procedure (evidence no.2, page 43). Templates for the different types of DACIs are also annexed to the manual of procedures, namely annex 4 regarding the DACI for the selection of RRF projects, annexes 8 and 9 regarding the DACI for the management of RRF projects, and annexes 11 and 12 regarding the DACI for public procurement procedures (evidence no.2).

For the Fédération Wallonie-Bruxelles, section 12.1 of the manual of procedures (evidence no.2) refers to the obligation for DACIs to be signed. Sections 17.3 and 17.4 of the same manual (evidence no.2) provide the templates for the DACI to be used by both internal parties of the Ministry of the Fédération Wallonie-Bruxelles (MFWB), as well as external parties who receive grants from the MFWB and carry out subsequent public procurement procedures. DACIs must be signed both in the context of public procurement and calls for projects. As per section 12.1 of the manual of procedures (evidence no.2), the following people are obliged to sign a DACI:

- Any member of staff of the Ministry of the Fédération Wallonie-Bruxelles (MFWB) and of the final beneficiary who is involved, in the framework of a selection board or individual, in the analysis, decision or control of the project, at any stage, or project cycle;
- Any staff member of the MFWB and the final beneficiary who makes up the line of command who has approved the work of the above-mentioned staff, at any stage or cycle of the project;
- Any jury member, external to the MFWB, who intervened in the analysis and decision on the project in question;
- Any person acting in a decision-making or validating capacity at political level to any person project stage or cycle.

For Flanders, the obligations as regards ex-ante verifications on conflict of interest are included in the instructions document (evidence no.2). Section 5.II of this document specifies that all persons involved in the selection procedures of both public procurement and calls for projects shall be explicitly obliged to declare the absence of conflict of interest at all stages of the selection procedures. The coordinating body has drawn up a DACI template, which is linked in section 5.II.C of the instructions document (evidence no.2).

For the Brussels-Capital Region, section 6.1 of the manual of procedures (evidence no.2) refers to the need for project promoters (that is, implementing bodies) to submit to the coordinating body a DACI signed by the relevant persons at all stages of public procurement procedures. The same obligation is repeated in section 6.6 of the same manual (evidence no.2) in the context of grants. The manual of procedures also provides a link to the templates for the DACIs in the respective sections, which are available on the platform of the coordinating body, 'Brussels International Files' (evidence no.6).

For the German-speaking Community, section 8.2.4 of the manual of procedures (evidence no.2) outlines the obligations with regards to verifications of the risk of conflict of interest and the collection of mandatory DACIs. The manual describes the procedure for mandatory ex ante DACIs for future RRF projects. DACIs must be submitted to the coordinating body ex-ante, i.e: before the contract is signed or the funding is awarded. These mandatory DACIs must be signed by the persons involved in all stages of the selection procedures for calls for tenders and calls for projects. Additionally, this section states that each six-monthly report must be accompanied by a declaration on honour that there has been no conflict of interest, fraud or corruption during the reporting period. This mandatory declaration must be completed by each project promoter. In addition, the mandatory declaration must be signed by the persons involved in all stages of the selection procedures for calls for tenders and calls for projects.

**and (ii) on a risk basis, the use of an appropriate risk-scoring tool in view of performing the checks on conflict of interest outlined in the instructions.**

For the Federal level, sections 7.3.4, 7.3.5 and 7.3.6 of the manual of procedures (evidence no.2) outline the provisions as regards the use of an appropriate risk-scoring tool (in this case the Commission's tool 'Arachne') in view of performing checks on conflict of interest. With regards to the risk basis, no thresholds are specified in the manual of procedures – the coordinating body has confirmed to the Commission that all cases must undergo an ex-ante conflict of interest check.

For Wallonia, pages 40 to 44 of the manual of procedures (evidence no.2) outline the processes with regards to conflict-of-interest checks. Arachne is mentioned to be used on a risk basis. In the context of calls for projects specifically, these provisions are further elaborated on in a separate guidance note on the protection of the financial interests of the Union in the context of the selection of projects financed by the Belgian Recovery and Resilience Plan in Wallonia (evidence no. 7).

For the Fédération Wallonie-Bruxelles, section 10 of the manual of procedures (evidence no.2) stipulates the provisions with regards to verifications on conflicts of interest, and in particular the use of Arachne to perform ex-ante checks. These checks are conducted on a risk basis, which is mentioned in section 3.1.4 of the same manual (evidence no.2).

For Flanders, section 5.III of the instructions document (evidence no.2) outlines the provisions with regards to the verifications on conflict of interest by using a risk-scoring tool - that is, Arachne. Grants and public contracts must be subject to checks in Arachne on a risk basis. In all cases, grants are checked ex-ante in Arachne. For public tenders, they are mostly checked ex-ante. Based on a risk assessment, which is detailed in section 5.IV of the same manual (evidence no.2), there are three cases where public contracts are subject to ex-post rather than ex-ante controls.

For the Brussels-Capital Region, sections 6.1 and 6.6 of the manual of procedures (evidence no.2) refer to the procedures in place for the checks on conflicts of interest, including ex-ante checks, with regards to both public contracts and grants. In both cases, Arachne shall be used on a risk basis; this risk basis is explained in the relevant sections of the manual. The provisions as regards these verifications are further elaborated on in the procedure for the control of irregularities for the RRF (evidence no. 5).

For the German-speaking Community, section 8.2.4 of the manual of procedures (evidence no.2) outlines the provisions regarding ex-ante conflict-of-interest verifications. In particular, Arachne is used to perform ex-ante checks on a risk basis, which is detailed in annex 6 of the same manual (evidence no.2).

### **The instructions shall define conflict of interest in line with Article 61 of the Financial Regulation.**

For the Federal level, the definition of conflict of interest in line with Article 61 of the Financial Regulation can be found on page 67 of the manual of procedures (evidence no.2).

For Wallonia, the definition of conflict of interest in line with Article 61 of the Financial Regulation can be found on page 38 of the manual of procedures (evidence no.2).

For the Fédération Wallonie-Bruxelles, the definition of conflict of interest in line with Article 61 of the Financial Regulation can be found on pages 57 and 184 of the manual of procedures (evidence no.2). Explicit reference to Article 61 is also made in the DACI templates which are annexed to the same manual (evidence no.2).

For Flanders, the definition of conflict of interest in line with Article 61 of the Financial Regulation can be found on page 4 of the instructions document (evidence no.2).

For the Brussels-Capital Region, the definition of conflict of interest in line with Article 61 of the Financial Regulation can be found on page 7 of the manual of procedures under the 'definitions' section (evidence no.2).

For the German-speaking Community, the definition of conflict of interest in line with Article 61 of the Financial Regulation can be found on page 36 of the manual of procedures (evidence no.2).

#### 4. Commission Preliminary Assessment:

Satisfactorily fulfilled.

### Loan support

**Number and name of the Milestone:** 239 - Finalisation of FEED and environmental studies

**Related Measure:** I-7.20 - Off-shore energy island

**Qualitative Indicator:** Publication of FEED and environmental studies

**Time:** Q4 2022

#### 1. Context:

This measure aims to develop an offshore energy hub ('energy island') in the Belgian part of the North Sea, which has two main objectives. First, it shall allow the connection of at least 3.15 GW of future offshore wind energy to the onshore electricity grid. Second, it shall facilitate the integration and import of more renewable energy in and around the North Sea by connecting to other countries or regions.

The milestone 239 consists of the finalisation of FEED (Front-end engineering design) and environmental studies.

Milestone 239 is the first step of the implementation of the investment, and it will be followed by milestones 240 related to the obtention of environmental permits for the energy island and the final milestone 241, related to the completion of works. The investment has a final expected date for implementation on 30 June 2026.

#### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note from 7 December 2023	Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone

		and of the corresponding measure in the CID annex) was satisfactorily fulfilled.
2	Front-end engineering design study (FEED) by Elia Asset NV, 10 February 2023	Finalised study by the contractor Elia Asset NV which evidences in various reports that the island has been designed to be ready for receiving offshore connection cables between the shore and the island. Confidential study accessible via a code sent to Commission services on demand.
3	Module Offshore Grid 2 (MOG 2) - Environmental impact report by IMDC for Elia Asset NV, 23 December 2022.	Environmental impact assessment (EIA) written by IMDC for the contractor Elia Asset NV. The report notably demonstrates how future interconnection links with other countries will be enabled.

**3. Analysis:**

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

**Finalisation of FEED (Front-end engineering design)**

The Front-end engineering design (FEED) study has been finalised by Elia Asset NV on 10 February 2023. Due to its confidentiality, as the energy island project falls within the critical infrastructure category, a restricted link to access the FEED study was shared with the European Commission to enable the assessment of the satisfactory fulfilment the milestone (evidence no. 2). The front-end engineering design study includes documents related to the general requirements, island design requirements, construction requirements, and survey requirements. These documents are further constituted of chapters, which are presented as reports.

**and environmental studies for the measure “Off-shore energy island”.**

The Module Offshore Grid 2 (MOG 2) Environmental impact report (evidence no. 3), written by IMDC for Elia Asset NV and dated 23 December 2022 has been finalised and delivered. Chapter 5. Description and assessment of environmental impacts (*Beschrijving en beoordeling van de milieueffecten*) describes and assesses the environmental effects of the construction phase of the MOG2 project on the sea bottom, on water, on the climate and atmosphere, of the noise and vibration of construction works, on the fauna, flora and biodiversity, on the sea view and cultural heritage, on the interaction with other human activities, and on risks and safety related to shipping, the presence of the MOG2 infrastructure and to the risks of pollution (p. 148-636). An overview table is provided in Section 8.2.1 Overview of the effects of the island, and platform alternative (*Overzicht van de effecten van het eiland, en het platform alternatief*) and in Section 8.2.2 Overview of cable impacts (*Overzicht van de effecten van de kabels*) on pages 689 to 707, detailing the effects of the island and the platforms on the environment during the construction phase, using a grading scheme from significantly positive (++) to significantly negative (--), or not applicable (n/a).

**4. Commission Preliminary Assessment:**

Satisfactory fulfilled.

**Number and name of the Milestone:** 54b - Requirements are defined

**Related Measure:** I-2.05[L] - Digitalisation SPF: Digitalisation of asylum and immigration management processes

**Qualitative Indicator:** Requirements are defined and approved

**Time:** Q2 2022

### 1. Context:

The measure aims at modernising the digital infrastructure to allow for a better and controlled integration with internal and public offices, modernising and developing migration services with a focus on user experience; standardising and securing the mutual exchange of data and documents. The project includes the (i) setting of a digital integration platform, (ii) a crossroads database for foreign nationals and (iii) the development of a data warehouse, which shall make it possible to generate, store, structure and combine migration-related data and statistics.

Milestone 54b consists in the requirements to be defined by the competent administrations and approved by the competent Ministry. The milestone is the first step of the implementation of the investment and it will be followed by milestone 55b, related to the completion of the project. Milestone 55b is the last milestone of the investment.

The investment has a final expected date for implementation in June 2026.

### 2. Evidence provided:

	Name of the evidence. For legal acts please provide the full legal reference and date of entry into force	Short description
1	Cover note from 29 September 2022	Summary document duly justifying how the milestone was satisfactorily fulfilled.
2	FPS Home Affairs "eMigration General Requirements, Global Design and Solution Architecture Multi-year plan" of 16 May 2022	Document defining the general requirements of the eMigration project. Approval of the general requirements by the Secretary of State for Asylum and Migration.
3	"eMigration INT: Trajectory Municipalities June December 2021" document of the Immigration Office (FPS Home Affairs)	Document defining the requirements for the introduction of a module into digital integration platform and evidencing the cooperation between the Immigration Office and the municipalities
4	"eMigration - Meeting RRF" presentation from the FPS Home Affairs, 24 September 2024	Presentation for a technical meeting between the European Commission and the Belgian authorities defining the requirements of the digital integration platform and the objectives of the Common Identity Repository.
5	"eMigration CIR: Requirements" document of the FPS Home Affairs, 20 June 2022	Document defining the requirements for the delivery of a Common Identity Repository (CIR).

6	“eMigration - DWH: Requirements” document of the FPS Home Affairs, 20 June 2022	Document defining the requirements for the construction of a data warehouse for eMigration.
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**3. Analysis:**

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

**The requirements are defined by the competent administrations and approved by the competent Ministry.**

The multi-year “eMigration” programme aims at digitalising the asylum and immigration management procedures. In the General Requirements, Global Design and Solution Architecture Multi-year plan for the eMigration programme, the competent administration, the Immigration Office of the FPS Home Affairs, defined the requirements for the architecture of a digitalised asylum and immigration process. The multi-year plan presents a roadmap and technical details about each project’s conceptual building blocks, which include the setting up of a digital integration platform, the “eMigration Common Identity Repository” project, which relates to the delivery of a Common Identity Repository (CIR) - a crossroads database to facilitate the correct identification of foreign nationals -, and the “eMigration Data Warehouse” project which relates to the development of a data warehouse allowing the Immigration Office to notably build and rely on richer data models (evidence no. 2, page 60).

The requirements for this measure are approved by the competent Ministry the FPS Home Affairs: the document comprising the General Requirements, Global Design and Solution Architecture Multi-year plan for the eMigration programme (evidence no. 2), which contains the requirements for this sub-measure was approved through the signature of the Secretary of State for Asylum and Migration under the mention ‘for approval’. The document is dated 16 May 2022.

Furthermore, in line with the description of the measure, **the measure aims at modernising the digital infrastructure to allow for a better and controlled integration with internal and public offices, modernising and developing migration services with a focus on user experience; standardising and securing the mutual exchange of data and documents.**

Through the setting up of a digital integration platform, the measure aims at modernising the digital infrastructure to allow for a better and controlled integration with internal and public offices, as well as the development of migration services with a focus on user experience by standardising and securing the mutual exchange of data and documents. In the “eMigration ‘INT’” document (evidence no. 3), the Immigration Office of the FPS Home Affairs provides an example for the introduction of a new module into the digital integration platform, which will, for example, allow the processing of applications for Family Reunification, “whereby the exchange of data between the Immigration Office and the municipalities can take place completely digitally”. With this new module, the platform aims to be equipped with the following functionalities: centralisation of files for the Immigration Office and municipalities, a shared workspace, management of tasks, shared timeline and reporting, and integration of external partners via web services or an external portal (evidence no. 3, page 52). The “eMigration ‘INT’” document also explains that “[w]ithin the Digital Platform, a renewed and automated file and document management will be provided and it will be possible to create and manage information” (evidence no. 3, page 51).

Furthermore, in line with the description of the measure, [the project includes] the **(i) setting of a digital integration platform**

In the “eMigration - Meeting RRF” presentation, the FPS Home Affairs defined the requirements for the platform, in the form of the definition of the concept of the digital integration platform programme as the development of an open application programming interface (API)-based integration infrastructure of the FPS Home Affairs. It will facilitate the interoperability between the asylum and migration services and national partners (such as the municipalities) in a standardised way. It also foresees the integration of migration services to European agencies such as Frontex and the European Asylum Support Office (EASO) and the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) Smart Borders infrastructure (evidence no. 4, slide 4). The presentation further defines the technical aspects of the digital integration platform (slides 5-10).

Furthermore, in line with the description of the measure, [the project also includes] **(ii) a crossroads database for foreign nationals**

In the “eMigration - Common Identity Repository (CIR): Requirements” document (evidence no. 5), the FPS Home Affairs defines the requirements for the delivery of a Common Identity Repository, which allows for the facilitating of the correct identification of foreign nationals registered in the database. The document details the technical requirements for the structuring of data into modules, by outlining the necessary updates for the creation of a Common Identity Repository. The “eMigration - Meeting RRF” presentation further elaborates on the objective of the Common Identity Repository, which is the establishment of an authentic and reliable source of identification of foreigners within the asylum and migration chain to obtain a 360° view of the identity (evidence no. 4).

Furthermore, in line with the description of the measure, [the project also includes] **(iii) the development of a data warehouse, which shall make it possible to generate, store, structure and combine migration-related data and statistics.**

In the “eMigration - Data Warehouse (DWH): Requirements” document (evidence no. 6), the competent administration, the FPS Home Affairs, defines the requirements for the construction of a data warehouse for the eMigration environment which aims to provide the Statistics Cell of the Immigration Office with a modern toolset necessary for their work. This toolset notably aims at: building a richer data model, better structuring and storing of data to avoid data to be overwritten or stored on insecure network shares, improving predictability of data, increasing the flexibility so that the procedure for new developments does not have to be restarted for every new question, building the landscape in a way that manual and time-consuming operations such as exporting and importing files can be avoided, increasing the focus on security and GDPR regulations, embedding multiple data sources, connecting statistical tools directly to the data warehouse, and providing standard visualisation in the form of statistic reports and dynamic dashboards. Through the development of a data warehouse, the Statistics cell will also be able to generate reports based on migration-related data combining statistics.

#### **4. Commission Preliminary Assessment:**

Satisfactorily fulfilled.

