

**3 May 2024**

**Positive preliminary assessment of the satisfactory fulfilment of milestones and targets related to the third payment request submitted by France on 16 January 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 16 January 2024, France submitted a request for payment for the third instalment of the non-repayable support. The payment request was accompanied by the required management declaration and summary of audits.

To support its payment request, France provided due justification of the satisfactory fulfilment of the 39 milestones and targets of the third instalment of the non-repayable support, as set out in Section 2(1)(1.3) of the Council Implementing Decision of 14 July 2023 on the approval of the assessment of the recovery and resilience plan for France<sup>1</sup>.

For 15 targets and one milestone covering a large number of beneficiaries, in addition to the summary documents and official listings provided by France, Commission services have assessed a statistically significant sample of individual files. The sample size has been uniformly set at 60, with 60 additional units for the specific case of T7-18 (Digital upgrade of the State and local authorities), and with 168 additional units for the specific case of T7-21 (Digital upgrade of the State – digital ID), which corresponds to a confidence level of 95% or above in all cases. For T3-23 (Acceleration of transport infrastructure works), the entire population of 170 units was verified for complete reassurance on the fulfilment of the target.

In its payment request, France 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. Upon receipt of the payment request, the Commission has assessed on a preliminary basis the satisfactory fulfilment of the relevant milestones and targets. Based on the information provided by France, the Commission has made a positive preliminary assessment of the satisfactory fulfilment of all 39 milestones and targets.

The milestones and targets positively assessed as part of this payment request demonstrate significant steps in the implementation of France's Recovery and Resilience Plan. They notably highlight the continuation of the reform momentum in key policy areas. This includes, among others, the entry into force of the Law on the acceleration of renewable energy production, the setting up of the General Secretariat for Ecological Planning (SGPE) included in the REPowerEU chapter, and the entry into force of the New Public Finances Programming Law (LPFP). The milestones and targets also confirm progress towards the completion of investment projects related to energy renovation of buildings, support to railways, improving connectivity with an additional 2 500 000 houses and business premises being eligible to be connected to fibre, as well as the modernisation of hospitals and health care supply.

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

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<b>Number: 1-2</b>	Related Measure: C1.R1 Housing policy
<b>Name of the Milestone:</b> Reform of the Pinel and mid-range rental housing	
<b>Qualitative Indicator:</b> Entry into force	<b>Time:</b> Q1 2023
<p><b>Context:</b></p> <p>Reform C1.R1 consists of two sub-reforms in the area of housing policy. The first sub-reform aims at the revision of the calculation modalities for the APL ('aides personnelles au logement'). The objective of the second sub-reform is to modify the Pinel tax credit scheme with a view to boost investment in new or rehabilitated dwellings in areas where the housing market is under strain, in view of renting them.</p> <p>The Pinel scheme allows landlords to benefit, in areas of tension in the housing market, from a tax reduction for the purchase of new housing or the rehabilitation of old housing, in view of renting them under conditions of tenant resources and rent level.</p> <p>Milestone 1-2 concerns the entry into force of the provisions of the Budget Law for 2021 concerning the legislative changes to the Pinel tax credit to improve its efficiency and of the provisions of the 2022 Budget Law concerning mid-range rental housing.</p> <p>Milestone 1-2 is the second and last milestone for the reform and it follows the completion of milestone 1-1 related to the revision of the calculation modalities for the APL ('aides personnelles au logement').</p>	
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>i. Summary document duly justifying how the milestone was satisfactorily fulfilled including links to the relevant pieces of legislation on the Legifrance website.</li> <li>ii. Copy of the Budget law No. 2020-1721 of 29 December 2020 for 2021 published in the Official Journal on 30 December 2020.</li> <li>iii. Copy of the Budget law No. 2021-1900 du 30 December 2021 for 2022 published in the Official Journal on 31 December 2021.</li> <li>iv. Copy of the Decree No. 2022-384 of 17 March 2022 on the quality of dwellings resulting from the application in metropolitan France of Article 168 of Finance Law No. 2020-1721 of 29 December 2020 for 2021 published in the Official Journal on 18 March 2022.</li> <li>v. Extract of the Tax code (Article 220 Z septies).</li> </ol> <p>The authorities also provided:</p> <ol style="list-style-type: none"> <li>vi. Copy of Decree No. 2022-384 of 17 March 2022 on the quality of dwellings resulting from the application in metropolitan France of Article 168 of Finance Law No. 2020-1721 of 29 December 2020 for 2021.</li> <li>vii. Copy of Decree No. 2022-1691 of 28 December 2022 on the quality of dwellings resulting from the overseas application of Article 168 of Finance Law No. 2020-1721 of 29 December 2020 for 2021.</li> </ol>	

**Analysis:**

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

**Entry into force of the provisions of the Budget Law for 2021 concerning the legislative changes to the Pinel tax credit to improve its efficiency in view of increasing housing offer in areas where the market is under strain and of the provisions of the 2022 Budget Law concerning mid-range rental housing.**

The relevant provisions concerning legislative changes to the Pinel tax credit to improve its efficiency in view of increasing housing offer in areas where the market is under strain are included under Article 168 of the Budget law No. 2020-1721 of 29 December 2020 for 2021, which was published in the Official Journal on 30 December 2020 and entered into force on 31 December 2020.

The relevant provisions concerning mid-range rental housing are included under Article 81 of the Budget law No. 2021-1900 of 30 December 2021 for 2022, which was published in the Official Journal on 31 December 2021 and entered into force on 1 January 2022.

**Moreover, in line with the description of the measure the Budget Law for 2021 provides a gradual reduction in the rate of the tax credit in 2023 and 2024, except for dwellings located in 'priority urban areas' or which respect certain quality standards in particular of energy and environmental performance that go beyond the current regulations.**

Article 168 I and II of the Budget law No. 2020-1721 of 29 December 2020 for 2021 provides for a gradual reduction in the rate of tax reduction in 2023 and 2024. In particular, when the lease commitment lasts for 6 years, the current rate of 12 % decreases to 10.5 % from 2023 and to 9 % in 2024. When the lease commitment lasts for 9 years, the rate of 18 % decreases to 15 % in 2023 and to 12 % in 2024.

The tax credit is maintained at the previous rate for housing located in a priority district or which meets a level of quality, in particular, in terms of energy and environmental performance, going beyond regulations currently in force. Decree No. 2022-384 of 17 March 2022 on the quality of dwellings resulting from the application in metropolitan France of Article 168 of Finance Law No. 2020-1721 of 29 December 2020 for 2021 (hereafter Decree No 2022-384) and Decree No. 2022-1691 of 28 December 2022 on the quality of dwellings resulting from the overseas application of Article 168 of Finance Law No. 2020-1721 of 29 December 2020 for 2021 (hereafter Decree No 2022-1721) define the criteria for the level of energy and environmental performance provided for in Article 168 II of the 2021 Budget Law going beyond the legislation currently in force. For metropolitan France, for dwellings acquired or constructed in 2023 and 2024, the Decree No 2022-384 lays down minimum levels of energy and environmental performance to be complied with, based on the requirements of the revised thermal regulation of new buildings RE 2020 (enshrined in Decree No. 2021-1004 adopted on July 29, 2021 related to the energy and environmental performance requirements for building constructions in metropolitan France) which will enter into force in 2025, and for certain dwellings, compliance with a class A of the Energy Performance Certificate (*'Diagnostic de Performance énergétique'* or DPE) within the meaning of Article L. 173-1-1 of the Construction and Housing Code. For the overseas countries, as the environmental rules for new building constructions (RE 2020) are not applicable in overseas departments, regions and local

authorities, the Decree No 2022-1721 lays down appropriate energy and environmental performance requirements for housing built or renovated in these territories. It lays down appropriate energy and environmental performance requirements for housing built or renovated in these territories.

**Moreover, in line with the description of the measure, this Budget Law foresees to end the scheme by the end of 2024.**

Article 168 I 1° of Finance Law No. 2020-1721 of 29 December 2020 for 2021 extends the Pinel tax scheme by three years and provides for its end at the end of year 2024.

**Furthermore, the Budget Law for 2022 includes provisions to foster mid-range accommodations financed by institutional investors in order to improve the offer of affordable housing in urban areas where the market is under strain, where the needs are the greatest.**

Article 81 of the Budget law No. 2021-1900 of 30 December 2021 for 2022 includes measures in favour of the production of mid-range rental housing mainly financed by institutional investors, in order to improve the supply of affordable housing in tense areas, where the needs are greatest. To support the development of the supply of intermediate housing financed by institutional investors, Article 81 of the Finance Law No. 2021-1900 of 30 December 2021 for 2022 replaces the exemption from property tax on built properties by a claim of the same amount as that tax, which is attributable on corporation tax due by projects' owners.

The scheme is codified in the new Article 220 Z septies of the General Tax Code.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 1-10	Related Measure: C1.I3 Thermal renovation of public buildings		
<b>Name of the Target:</b> Number of m2 of floors of public sites belonging to the State where the energy renovation works have been completed			
<b>Quantitative Indicator:</b> Number of square meters (in million)	<b>Baseline:</b> 0	<b>Target:</b> 20	<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>The measure aims to support energy renovation of buildings belonging to the State and of buildings belonging to local and regional authorities. For buildings belonging to the State, such projects are selected through two calls for projects launched in autumn 2020: the first one concerns higher education and research buildings and universities, and the second one concerns all other buildings, managed by the DIE (<i>Direction de l'Immobilier de l'Etat</i>). Target 1-10 concerns the number of square meters (20 million) of public sites buildings belonging to the State where energy renovation works have been completed, with an objective to achieve at least 30% of energy savings on average.</p> <p>Target 1-10 is the third target of the investment, and it follows the completion of target 1-8 related to the notification of energy renovation works in public buildings belonging to the State, and target 1-9 related to energy renovation of public buildings belonging to local and regional authorities. It will be followed by target 1-11 related to completion of energy renovation works in public sites</p>			

buildings belonging to the State and target 1-12 related to the completion of energy renovation works in schools, colleges or high schools.

The investment has a final expected date for implementation in Q4 2024.

**Evidence Provided:**

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

- i. A Summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.
- ii. An Excel file including the list of projects selected by the two calls for projects on energy renovation of public buildings belonging to the State, extracted from the Information System of the DIE (*Direction de l'Immobilier de l'Etat*), specifying among others:
  - a. the location of the project (columns B to D)
  - b. the recipient of the project (columns E and F)
  - c. the call for project concerned (column G)
  - d. the date of completion of works (column H)
  - e. the amount of energy renovation works (columns I and J)
  - f. the reference number of the building in the data base of the DIE called 'Chorus Re' (column K)
  - g. the surface of the building, in square meters (column L)

The authorities also provided:

- iii. The two calls for projects that have been used to select the final recipients (one concerning higher education and research buildings and universities, and one concerning all other buildings belonging to the State or its operators).
- iv. A copy of the Decree No. 2019-771 of 23 July 2019, related to obligations on actions to be taken to reduce final energy consumption in buildings for tertiary use.

In the context of the sampling analysis, the following evidence was provided for a sample of 60 projects of renovation:

- v. Screenshots of the 'Infocenter' database which is an inventory of the buildings belonging to the State.
- vi. Extraction from the Information System of the DIE, linking unique numbers of the building (Chorus) to the name of the building, and their surface area.
- vii. Evidence proving the completion of energy works ('attestation de fin de travaux' by the State service; 'procès verbal de réception de travaux', extract from the State service database concerning the follow-up of works, invoices, etc.).

**Analysis:**

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

**Number of m<sup>2</sup> of floors of public sites belonging to the State where energy renovation has been completed, with an objective of achieving at least 30% of energy savings on average.**

**Furthermore, in line with the measure's description, the projects are selected with the objective to achieve at least 30% of energy savings on average.**

The French authorities provided an Excel list of projects of public buildings extracted from the Information System of the Department of National Real Estate (DIE, *Direction de l'Immobilier de l'Etat*), which is a Directorate of the Ministry of Economy, Finance and Industrial and Digital Sovereignty (hereinafter referred to as 'the Ministry') (see evidence ii.). All the buildings concerned by those projects belong either to a Ministry (see evidence ii. a, column E) or to a specific public authority under the jurisdiction of a Ministry (see evidence ii. a, column F).

The evidence provided for a sample of 60 units confirmed that each project is performed in a building belonging to the State (see evidence v).

The Excel list of projects indicates the square meters of floors of the public sites that have undergone energy renovation works. If multiple projects have been carried out in the same building, the surface area of that building is considered only once (see evidence ii.a, column I), to avoid double counting: in such cases, the surface area reported in column I is denoted, which effectively represents zero square meters, for the second and subsequent projects (if any).

The total of square meters reported in column L (see evidence ii.a) amount to 20.8 million square meters, exceeding the target of 20 million square meters.

The evidence provided for a sample of 60 units confirmed that the requirement on the number of square meters is met (cf. evidence vi).

The Excel list of recipients demonstrates that all projects have been completed before the end of 2023. The exact end dates reported in column H indicate that, out of 1757 projects, 784 completed in 2021, 762 in 2022 and 221 in 2023.

The evidence provided for a sample of 60 units confirmed that the energy renovation works are completed before the end of 2023 (see evidence vii).

The objective of achieving 30 % energy savings on average is an ex-ante objective, i.e. to be achieved at the time of project selection. The analysis of target 1-8, which concerned the selection of 2900 projects during the first payment request, demonstrated that the selection process enabled selecting projects for which the expected energy gains were, on average, 30 %. The completed projects under this target 1-10, corresponding to the 20 million of renovated square meters now being assessed, were selected by the same two calls for projects (see evidence iii) as target 1-8. It can therefore be considered that the selection process made it possible to choose projects for which the energy gains planned by the thermal renovation works were at least 30% on average. This objective is therefore equally considered as achieved in the context of this target.

**Commission Preliminary Assessment:** Satisfactorily fulfilled



<b>Number: 1-13</b>	Related Measure: C1.I4: Energy renovation of very small enterprises (VSEs) and small and medium sized enterprises (SMEs)		
<b>Name of the Target:</b> Number of companies benefiting from the tax credit and/or accompanying measures			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 5 000	<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>This measure aims to support very small enterprises (VSEs) and small and medium sized enterprises (SMEs) in their energy renovation works. Two different schemes are put in place. The first one concerns a tax credit scheme for VSEs and SMEs amounting to 30% of the cost of the renovation works, implemented by the Ministry of Finance. The second one concerns accompanying measures for VSEs such as artisans, small traders and self-employed people, which is implemented by Chambers of trades and crafts (CMAs) and Chambers of Commerce and Industry (CCIs).</p> <p>Target 1-13 requires that 5 000 enterprises having benefited from a tax credit for energy renovation works or have been supported by the CMAs or the CCIs in their energy renovation project.</p> <p>Target 1-13 is the only target of this investment.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>i. A summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.</li> <li>ii. An Excel file including the list of recipients, divided into four Excel sheets depending on the type of support received: <ol style="list-style-type: none"> <li>a. one sheet for beneficiaries of CCIs accompanying measures;</li> <li>b. one sheet for beneficiaries of CMAs accompanying measures;</li> <li>c. one sheet for beneficiaries of the tax credit under the corporate income tax;</li> <li>d. one sheet for beneficiaries of the tax credit under the income tax.</li> </ol> <p>For the Excel sheets concerning CCIs and CMAs measures, the following elements are provided for each recipient:</p> <ol style="list-style-type: none"> <li>a. the registry number (SIREN) of the company (column A);</li> <li>b. the name of the company (column B);</li> <li>c. the size of the company (column C);</li> <li>d. the location of the company (column D);</li> <li>e. the type and description of the accompanying measure (columns E and F).</li> </ol> <p>For the Excel sheet concerning the tax credit scheme on the corporate income tax, the following elements are provided for each recipient:</p> <ol style="list-style-type: none"> <li>a. the registry number (SIREN) of the company (column A);</li> <li>b. the name of the company (column B);</li> <li>c. the size of the company (column C);</li> <li>d. the location of the company (column D);</li> <li>e. the tax credit amount (column E).</li> </ol> <p>For the Excel sheet concerning the tax credit scheme on the income tax, the following</p> </li> </ol>			

elements are provided for each recipient:

- a. the registry number (SPI) of the company (column A);
- b. the fiscal number (FIP) of the company (column B);
- c. the name of the company (column C);
- d. the location of the company (column D);
- e. the tax credit amount (column E).

The authorities also provided:

- iii. The press kit related to the 'global plan accelerating ecological transition in VSEs-SMEs', presenting the 10 flagship measures.
- iv. A copy of the order (*arrêté*) adopted on 29 December 2020, related to equipment, materials and devices whose acquisition and installation in a tertiary building giving entitlement to the tax credit for energy renovation of small and medium-sized enterprises provided for in Article 27 of the Budget Law for 2021 No. 2020-1721 adopted on 29 December 2020 and the link to the Order [Arrêté du 29 décembre 2020 relatif aux équipements, matériaux et appareils dont l'acquisition et la pose dans un local tertiaire ouvrent droit au crédit d'impôt pour la rénovation énergétique des petites et moyennes entreprises prévu à l'article 27 de la loi n° 2020-1721 du 29 décembre 2020 de finances pour 2021 - Légifrance \(legifrance.gouv.fr\)](#).
- v. A copy of Article 27 of the Budget Law for 2021 No. 2020-1721 adopted on 29 December 2020.
- vi. Extract from the Official Bulletin of Public Finances-Taxes, by the Directorate of Public Finances; Publication date: 30 June 2021; End of publication date: 2 August 2023; Tax credit for the energy renovation of buildings of tertiary use assigned to SMEs activity.

In the context of the sampling analysis, the following evidence was provided for a sample of 60 projects of renovation:

- vii. The link to the 'official registry of companies' in France, allowing identifying any company with specifications on its activities and staffing [L'Annuaire des Entreprises françaises : les informations légales officielles de l'administration \(data.gouv.fr\)](#).
- viii. for companies having benefited from a tax credit, evidence on the request of the tax credit:
  - a. the summary form for tax reductions and credits No. 2069-RCI, for those subject to corporate tax
  - b. the supplementary income declaration No. 2042-C-PRO, for self-employed professions subject to income tax
  - c. invoice of companies having carried out the energy renovation works
- ix. For companies having benefited from a tax credit, evidence on the granting of the tax credit:
  - a. the corporate tax liquidation statement, for those subject to corporate tax;
  - b. the income tax notice (*avis d'imposition sur le revenu*), for those subject to income tax;
  - c. Invoice of companies having carried out the energy renovation works.
- x. For companies having benefited from accompanying measures:
  - d. for 'awareness' measures:
    - i. presentation of the 'field phase' of the national campaign, following the national media campaign launched (.pdf document);
    - ii. power point presentation of the national communication campaign launched and carried out by the CMA, based on radio spots and visuals for

- the local press and social networks (.ppt document);
- iii. several templates of communication tools made available for the CCIs and CMAs (advertising for the written press, kakemonos, stands, and storyboards for videos);
  - iv. presentations of the regional or local communication campaigns by specific CCIs and CMAs;
- e. For 'diagnosis' measure: the 'action plan', including actions recommended in the field of energy.
  - f. For 'implementation' measure: the 'accompanying report', following the 'action plan'.
  - g. For 'promotion' measure: press articles or social networks' advertising on companies having received support from CCIs or CMAs.

**Analysis:**

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

**Number of companies benefiting from the tax credit for the energy renovation of VSEs and SMEs buildings of tertiary use and/or support from chambers of trade and crafts (CMA) and chambers of commerce and industry (CCI).**

The Excel file provided by France, containing the total number of VSEs and SMEs that either benefited from a tax credit for energy renovation works or were accompanied by the CCIs and CMAs to carry out actions to optimize their energy consumption (see evidence ii), reaches 5 509 companies.

This list includes 3 460 SMEs that have been supported by a CCI, 725 that have been supported by a CMA, 614 that have benefited from a tax credit on corporate income tax, and 725 a tax credit on income tax.

From the total of 5 509, five companies have been supported by both a CCI and a CMA: in order to avoid double counting, it is considered that 5 504 companies are supported by the measure, which means that the target has been exceeded by a margin of 504.

The evidence provided for a sample of 60 units (11 units concern the first scheme of the measure, e.g. the tax credit support scheme, and 49 units concern the second one, i.e. the accompanying measures by professional organisations CMAs and CCIs) corroborates the information declared in the Excel file.

The 'official registry of French companies' shows that the 60 units concern companies with a workforce of less than 250 people, which is the threshold for SMEs, categorising them among VSEs and SMEs (see evidence v).

Furthermore, the evidence provided for the 11 units concerning companies having received a tax credit (corresponding to five SMEs that have benefited from a tax credit on corporate tax, and six VSEs that have benefited from a tax credit on the income tax) show that for ten companies the building renovated is of tertiary use (see evidence v). For one unit (item identifier 4720), the company's activity is industrial. Therefore, one unit of the sample is considered as failed.

**Furthermore, in line with the description of the measure, to support thermal renovation of their buildings, two support mechanisms are in place under this investment:**

**The main support scheme is a tax credit amounting to 30% of the expenses of eligible actions (such as insulation of roofs, attics, walls; collective solar water heater and heat pumps), and capped at EUR 25 000 per undertaking. This scheme is open for expenses incurred from 1 October 2020 until 31 December 2021. The tax credit is charged against income tax or corporate tax due by the taxpayer for the calendar year in which the eligible expenditure was incurred (i.e. 2020 or 2021).**

According to Article 27 of the of the Budget Law for 2021 No. 2020-1721 (see evidence v) and to the Order on equipment, materials and devices whose acquisition and installation in a tertiary building giving entitlement to the tax credit for energy renovation of small and medium-sized enterprises provided for in Article 27 of the Law (*hereinafter referred to as 'the Order'*) (see evidence iv), the tax credit allocated for VSEs and SMEs for energy renovation works is limited to 25 000 EUR per company, and to 30% of eligible expenditure. Those expenditure are listed in the Order and concern several types of investments related to energy renovation works, such as insulation works, installation of collective solar water heater or heat pumps, etc. In addition, Article 27 of the Budget Law (see evidence v) specifies that the tax credit applies for expenditure incurred from 1 October 2020 and 31 December 2021.

The invoices received for those 11 companies (see evidence vi.c and vii.c) demonstrate that expenses concern energy renovation works. These expenses were incurred between 1 October 2020 and 31 December 2021. For one unit (item identifier 4720, e.g. the same unit for which the building renovated is not of tertiary use), the invoice (see evidence vi.c) demonstrates that the expenditure concerns the installation of air conditioning, which does not correspond to energy renovation works nor to eligible expenses (see evidence ii and iv). Therefore, one unit of the sample is considered as 'failed'.

The evidence provided for the 11 units in the sample show that those companies have all requested and received a tax credit for energy renovation works, for the same amounts (see evidence viii.a and b, and ix.a and b), and that the tax credit was submitted for the calendar year in which the expenditure was incurred (i.e. 2020 or 2021) (see evidence viii.a and b).

**Furthermore, in line with the description of the measure, the second support scheme shall finance accompanying measures to support artisans, small traders and self-employed people in their renovation works.**

**The envelope shall be spent through Chambers of trades and crafts (CMA) and Chambers of Commerce and Industry (CCI), in four steps:**

**Awareness: this step aims to make business leaders aware of the challenges of the energy renovation of buildings in the context of ecological transition; this action shall include a national communication campaign and local actions, in conjunction with local authorities and professional organizations.**

A national media campaign was launched in December 2021 in order to raise awareness of VSEs and SMEs such as artisans, traders, and self-employed people on the need to invest in the ecological transition, as shown in the presentation of the 'field phase' of the national campaign, following the national media campaign (see evidence x.d.i). This campaign was deployed in several waves, in all territories:

- two media campaigns were launched in March and April 2022 and in September and October 2022 in all territories and local media (local radios such as 'France Bleu' and in 55 local newspapers (see evidence x.d.i, page 12);
- the CMA media plan, called '*la solution logique, c'est la transition écologique*' included several promotional advertisements in the local written press, radio stations and France TV (see evidence x.d.ii).

This media campaign was followed by a 'field phase', from March to December 2022: the CCIs and CMAs have communicated on the accompanying measures they provide to VSEs and SMEs in their energy transition (see evidence x.d.i, page 8). In order to do so, communication materials were made available to the CCIs and CMAs by the General Directorate for Enterprises ('*Direction Générale des Entreprises*', DGE): templates for kakemonos for events organised by the Chambers, for communication on social networks, storyboard for videos, etc (see evidence x.d.iii).

On top of these actions, for 35 sample units (out of 49 units that concern this sub-measure), specific communication actions were presented through different media supports (see evidence x.d.iv): they invite managers of VSEs and SMEs to use the help of professional organisations (CCIs or CMAs) to obtain a free diagnosis (or 'action plan') to accelerate their energy transition.

**Diagnosis: an energy audit shall be carried out by an advisor from the CMA or the CCI, in order to elaborate an action plan to start renovation works, on the basis of the ecological maturity of each company.**

**Implementation: an expert shall help implementing the action plan through technical and financial assistance (such as setting up the grant applications).**

The 49 companies in the sample have received an 'action plan' from an advisor of the CCI or the CMA in their territory (see evidence x, e.). This 'action plan' provides a diagnosis in several areas of ecological transition, including energy. In this area, the CCI or CMA takes stock of the company's energy consumption, and lists areas for improvement in order to reduce and/or decarbonise this energy consumption.

Following the 'diagnosis' step, some companies have decided to be accompanied in more details by the CCI or the CMA ('implementation' step): 29 companies in the sample have received an 'accompanying report' (see evidence x.f.), in which an expert of the professional organisation details the technical and financial assistance the VSE or SME can receive in order to implement the 'action plan'.

**Promotion: actions undertaken by companies in the field of renovation of buildings shall be promoted to different audiences, such as consumers, companies and local authorities.**

Several CCIs and CMAs (in the Touraine, Auvergne-Rhône-Alpes, Hauts de France regions, and the Pyrénées Atlantique department) promoted the actions they have undertaken in their territory in favour of VSEs and SMEs, to support them in their ecological transitions, and more particularly in their energy renovation works. Such promotion actions (see evidence x.d.g.) took the form of articles and interviews of VSEs or SMEs leaders in the local and regional press, or advertisements in the social networks in order to target the general public, consumers, local authorities, as well as

other companies in their territories.

**Furthermore, in line with the description of the measure, this investment is part of a plan launched by the government in June 2020 to accompany very small and medium-sized enterprises in the ecological transition.**

The plan adopted in June 2020 by the French government, the 'global plan accelerating ecological transition in VSEs-SMEs', refers to ten flagship measures that accompanies VSEs and SMEs in their ecological transition, from the diagnosis to the implementation phase (see evidence iii).

Energy renovation is part of this plan:

- flagship measure #2, the 'Climatomètre', concerns a new tool for VSEs and SMEs to help them carry out a self-diagnosis in the field of energy and receive adapted recommendations;
- flagship measure #3, the 'Diag Eco-Flux' scheme, supports VSEs and SMEs in the diagnosis of their energy consumption;
- flagship measures #4 and 5 concern loans to support, among other things, energy renovation projects in VSEs and SMEs.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 2-8	Related Measure: C2.I3 Urban densification: brownfields		
<b>Name of the Target:</b> Number of projects for which a grant has been signed for recycling operation of wasteland or of urbanized area			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 90	<b>Target:</b> 200	<b>Time:</b> Q1 2023
<b>Context:</b> The measure aims to rehabilitate and recycle brownfield and wasteland sites. Two categories of projects may be supported by the brownfield fund: <ul style="list-style-type: none"><li>• Recycling of brownfields</li><li>• Recycling of urbanized land</li></ul> Target 2-8 concerns the number of projects (110 projects) for which a grant has been signed for recycling operation of wasteland or for a recycling operation of urbanized area. Target 2-8 is the second and last target of investment C2.I3 and follows the completion of target 2-7 related to the number of projects for which a grant has been signed for a recycling operation of wasteland or of urbanized area.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided: <ol style="list-style-type: none"><li>i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled, with appropriate links to the underlying evidence.</li><li>ii. The list and number of 159 projects for which a grant has been signed.</li></ol>			

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

- iii. The published Call for projects Land recycling of brownfield sites for each region.
- iv. Grant agreement for each project between the State and the beneficiary.
- v. FLASH DGALN n° 08-2021 of 24 June 2021.
- vi. FLASH DGALN n° 02-2022 of 10 February 2022.
- vii. General Budget Draft budget laws – Program 362 – Ecology – Annual performance projects – annex to the 2023 Financial project Law

**Analysis:**

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

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

The Council implementing decision requires the signature of 110 additional grant agreements, additionally to the baseline of 90 established for the previous target 2-7. 120 grant agreements were provided by France as evidence for the fulfilment of the previous target 2-7. As part of this target, the evidence provided for a sample of 60 units confirmed that 159 additional grant agreements were signed between the State and the beneficiaries for operations falling into one of the two above-mentioned categories, bringing the total number of agreements signed to more than 200 projects and demonstrate the achievement of the target.

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

The evidence provided (evidence iii) by the French authorities demonstrated that the projects were selected by the State through regional calls for tenders and that the beneficiaries of the 'brownfield fund' are the owners of the site. As evidenced by the supporting documents attached to the draft budget laws that the French authorities submitted to Parliament, the amount of EUR 1.1 m was devoted by the State for the years 2021-2024 to the **development of land knowledge tools in order to support local authorities in the inventory of wastelands and in the operational implementation of recycling operations** (evidence vii).

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

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

The Council Implementing Decision required the beneficiaries of the 'brownfield fund' to be the owners of the site. The French authorities required in the calls for projects that 'eligible project owners are the developers of brownfield recycling projects' (evidence iii, page 6-7). In this respect, eligible beneficiaries of the fund are described as project owners rather than owners of the site, so that they would not necessarily be owners of the site but could also be developers of the project as

project owners.

Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision the ownership status of the site of the project owners has no impact on the achievement of the objectives of this measure or the nature of the works. This is because the nature of this measure is the rehabilitation and recycling brownfield and wasteland operations. While the Council Implementing Decision had a reference to ownership of the sites to ensure projects would take place, absence of ownership does not have an impact on the implementation of the projects. This is because the developers, as project owners, are able to complete the projects without being the owners of the site and have an obligation to complete the operation in order to receive the fund. In particular, projects can only start once the grants have been allocated and the funds are received based on due justification of the implementation of the projects step by step. That is, an advance can be paid out at the start and all further instalments are paid out as the projects advance (on the basis of due justification)(evidence iv point 3.4).

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

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

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 2-10</b>		Related Measure: C2.I5: Prevention of seismic risks in the DOM		
<b>Name of the Target:</b> Number of buildings concerned – seismic risks in the DOM				
<b>Quantitative Indicator:</b> Number of recipients	<b>Baseline:</b> 0	<b>Target:</b> 15	<b>Time:</b> Q4 2023	
<b>Context:</b>				
Investment C2.I5 aims to carry out earthquake-resistant reinforcement works of priority public buildings in the DOM (French Overseas Departments), taking into account resilience to cyclones as well.				
Target 2-10 concerns the number of public buildings (15 buildings, such as crisis management buildings, or prefectures and sub-prefectures, or priority hospitals, or schools, high schools and colleges) in the DOM (i.e., the Antilles) in which anti-seismic works have been started.				
Target 2-10 is the only target of this investment.				
<b>Evidence Provided:</b>				
In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:				
<ul style="list-style-type: none"> <li>i. Summary document duly justifying how the target was satisfactorily fulfilled and including a link to a national map presenting the zones of high seismic risks, <a href="#">Dossier expert sur les séismes   Géorisques (georisques.gouv.fr)</a> and the call for tender from the Ministry of the</li> </ul>				



- ii. Annex 1: a list of buildings in the Antilles for which a subsidy has been granted to carry out earthquake-resistant reinforcement works, including the country (column A); the beneficiaries (column B); the type of buildings (column C); the place and the address (columns D and E); and the number of buildings per place/address (column F).

The authorities also provided:

For the gendarmeries (3 gendarmeries, 15 buildings):

- iii. A correlation table between the sites of the gendarmeries, the communes where each gendarmerie is located, the identifier number of each building, the article number corresponding to the building, and in which invoice these identifier numbers are mentioned.
- iv. Copy of the Special Administrative Provisions (*Cahier des Clauses Administratives Particulières*) No. 36599 on 19 August 2021 from the Gendarmerie Nationale.
- v. Copy of the convention signed on 8 September 2021 between the Director of the Environment, Planning and Housing of Martinique (Préfet de la Martinique) (delegator) and the Director of the Gendarmerie of Martinique (delegatee), certifying the financing granted by the State under the *Plan Relance*, to the *Gendarmerie of Martinique* as part of the project of earthquake-resistant reinforcement works for three gendarmeries (La Redoute, Le Lamentin, et La Trinité).
- vi. Copy of the commitment act of the award of contract (*Acte d'engagement des Marchés Publics*) signed on 30 November 2021 between the *Gendarmerie of Martinique*, and the construction company *Assistance BTP SASU*, related to reinforcement works in the gendarmeries of La Redoute et Le Lamentin.
- vii. Copy of the service order (*ordre de service*) signed on 16 March 2022 between the construction company *Assistance BTP SASU* and the *Gendarmerie of Martinique*, related to the reinforcement works in the gendarmerie of La Redoute.
- viii. Copy of the subcontracting declaration of the award of contract (*Déclaration de Sous-traitance des Marchés Publics*) signed on 21 September 2022 between the construction companies *Mex'Alu SARL* and *ETS JDS*, and the *Gendarmerie of Martinique*, related to the reinforcement works in the gendarmerie of La Trinité.

***For La Redoute (3 bâtiments)***

- ix. Copy of the works status invoice No. 1 (*facture de situation n°1*) from the construction company *Assistance BTP* and signed on 8 December 2022 by both the company and the *Gendarmerie of Martinique*.
- x. Copy of an invoice from the construction company *Assistance BTP* to the *Gendarmerie of Martinique* signed on 8 December 2022.
- xi. Copy of the draft statement of account (*Projet de décompte*) from the construction company *Assistance BTP* to the *Gendarmerie of Martinique*, signed on 13 December 2022.
- xii. Copy of the administrative certificate (*attestation administrative*) from the *Gendarmerie of Martinique* signed on 28 February 2024 to attest of a drafting mistake.
- xiii. Copy of the certificate for payment of the statement of account (*certificat pour paiement de l'état d'acompte*) signed on 13 December 2022 by the authorising officer of the *Gendarmerie of Martinique*.

**For le Lamentin (6 bâtiments)**

- xiv. Copy of the works status invoice No. 1 (*facture de situation n°1*) from the construction company *Assistance BTP* and signed on 26 August 2022 by both the company and the *Gendarmerie of Martinique*.
- xv. Copy of the works status invoice No 2. (*facture de situation n°2*) from the construction company *Assistance BTP* and signed on 3 November 2022 by both the company and the *Gendarmerie of Martinique*.
- xvi. Copy of an invoice from the construction company *Assistance BTP* signed by the *Gendarmerie of Martinique* on 3 November 2022.
- xvii. Copy of the certificate for payment of the statement of account (*Certificat pour paiement de l'état d'acompte*) signed on 29 November 2022 by the authorising officer of the *Gendarmerie of Martinique*.

**For La Trinité (6 bâtiments)**

- xviii. Copy of an invoice from the construction companies *Mex'Alu* and *Confort Sécurité Antilles* signed and sent to the *Gendarmerie of Martinique* on 27 September 2022.
- xix. Copy of an invoice from the construction company *SM2CM* to the *Gendarmerie La Trinité* signed on 10 October 2022.
- xx. Copy of the certificate for payment of the statement of account (*Certificat pour paiement de l'état d'acompte*) signed on 31 October 2022 by the authorising officer of the *Gendarmerie of Martinique*.

For the school:

- xxi. Copy of a grant agreement signed on 7 July 2021 between the Ministry of Ecological Transition and the *Commune du Marin* testifying of a grant under the *Plan Relance* to finance the earthquake-resistant reinforcement works of a school.
- xxii. Copy of an agreement signed on 27 August 2021 between the *Commune du Marin* (buyer) and the association *La Myriam* (seller) for the purchase of a land located in a zone of high seismic risk.
- xxiii. Copy of an attestation signed on 11 October 2023 by the *Commune du Marin* certifying the contractualisation of a mission of Delegated Project Management (*Maitrise d'Ouvrage Déléguée*) with a local semi-public company of urban development, the *Société d'Economie Mixte d'Aménagement de la Guadeloupe* (SEMAG), as part of the project of earthquake-resistant reinforcement work of the school.
- xxiv. Copy of the commitment act of the award of contract (*Acte d'engagement des Marchés Publics*) signed on 13 December 2021 between SEMAG, representing the *Commune du Marin*, and the construction companies *Anonym'Art Architecture*, *Berim* and *Tescol Antilles*, related to the project of earthquake-resistant reinforcement work of the school.
- xxv. Copy of an invoice from the construction companies *Anonym'Art*, *Berim* and *Tescol*, signed by SEMAG on 20 April 2023.

For the prefecture:

- xxvi. Copy of the commitment act of the award of contract (*Acte d'engagement des Marchés Publics*) signed on 20 December 2021 between the *Prefecture of Guadeloupe* and the construction company *Getelec*, related to reinforcement works of the prefecture.
- xxvii. Copy of the works status invoice No. 1 (*facture de situation n°1*) of May 2022 signed by the construction company *Getelec*.
- xxviii. Copy of certificates for payment of the statement of account (*Certificat pour paiement de l'état d'acompte*) signed by the authorising officer on 21 December 2021
- xxix. Pictures of before/after construction.

For the sub-prefecture:

- xxx. Copy of the commitment act of the award of contract (*Acte d'engagement des Marchés Publics*) signed on 21 December 2021 between the *Prefecture of Guadeloupe* and the construction company *GTM Guadeloupe*, related to reinforcement works in the sub-prefecture.
- xxxi. Copy of the works status invoice No 6. (*facture de situation n°6*) from the construction company *GTM Guadeloupe* signed on 29 November 2023.
- xxxii. Copy of the works status invoice (*facture de situation*) from the construction company *IEGERO* from 27 November 2023.
- xxxiii. Pictures of the construction.

For the hospital:

- xxxiv. Copy of a grant agreement signed on 11 August 2021 between the Ministry of Health (Ministère des Solidarités et de la Santé) and the *Hospital of Guadeloupe* (CHUG) testifying of a grant under the Plan de Relance to finance the earthquake-resistant reinforcement works of the hospital.
- xxxv. Copy of the service order (*ordre de service*) signed on 26 April 2022 between the construction company *Ingenierie Constructions Modernes* (ICM) and the Hospital of Guadeloupe, related to the reinforcement works in the Hospital.
- xxxvi. Copy of an invoice from the construction company *ICM* signed by the Hospital on 21 October 2022.
- xxxvii. Pictures of the construction.

**Analysis:**

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

**Number of public buildings (such as crisis management buildings, or prefectures and sub-prefectures, or priority hospitals, or schools, high schools and colleges) in the DOM in which anti-seismic works have been started.**

**Furthermore, in line with the description of the measure, several types of public buildings are targeted, such as: Crisis management buildings, prefectures and sub-prefectures; priority hospitals; schools, high schools and colleges.**

France has provided a national map presenting the zones of high seismic risk (evidence i), in which the Antilles, as part of the French Overseas Department (DOM), represent the zone with the highest and maximum seismic risk (score of 5 in a scale of 5). The new seismic zoning of France entered into force with the Order of 22 October 2010, *related to the classification and rules of seismic construction applicable to buildings of the so-called normal risk class*, the Decree No. 2010-1254 of 22 October 2010, *related to the prevention of seismic risk* and the Decree No. 2010-1255 of 22 October 2010 *related to the delimitation of seismicity zones of the French territory*, all published in the Official Journal No. 0248 of 24 October 2010.

The Antilles being the highest zone at risk, a seismic microzoning has been established in these territories. This local study complements the national seismic regulations. The purpose of the study is to map the homogeneous seismic response zones, allowing to structure better the public works, considering the local seismic hazard. Consequently, the decrees of 22 October 2010 *related to the prevention of seismic risk and to the delimitation of seismicity zones of the French territory* have been amended to allow the use of the results of seismic microzoning for adapted constructions in the following municipalities and communities in the DOM (Antilles):

- i. For Guadeloupe: Petit-Bourg, Goyave, Capesterre Belle-Eau, Trois-Rivières, Abymes, Morne à l'Eau, Gosier, Sainte-Anne, Saint-François, Le Moule;
- ii. For Martinique: Rivière-salé, Trois-Ilets, Le François, Trinité, Vauclin, Robert, Lamentin;

Hence, the map presenting the zones of high seismic risk (evidence i) provides evidence on the necessity to conduct earthquake-resistant reinforcement works in the DOM (Antilles). Accordingly, France also provided a list of buildings in the Antilles for which a subsidy has been granted to carry out earthquake-resistant reinforcement works (evidence ii), in which the recipients are exclusively in the DOM, namely Martinique (Trinité, Fort-de-France, Le Lamentin, Marin) and Guadeloupe (Basse-Terre, Pointe-à-Pitre). Nineteen buildings are counted in this list (evidence ii) and include:

- 6 buildings in the Gendarmerie of La Trinité (Martinique);
- 3 buildings in the Gendarmerie of Fort-de-France (Martinique);
- 6 buildings in the Gendarmerie of Le Lamentin (Martinique);
- 1 school owned by the Commune of Marin (Martinique);
- 1 prefecture in Basse-Terre (Guadeloupe);
- 1 sub-prefecture in Pointe-à-Pitre (Guadeloupe);
- 1 hospital in Basse-Terre (Guadeloupe).

For the gendarmeries in particular, the convention (evidence v), signed on 8 September 2021, certifies that the delegate (*Préfet de la Martinique*) entrusts the delegatee (Director of the Gendarmerie of Martinique) with the implementation of expenditure relating to the operations of overseas risk prevention in three gendarmeries, including 15 buildings (site of Trinité: 6 buildings; site of Redoute: 3 buildings; site of Place d'Armes: 6 buildings). The number of buildings in the convention (evidence v) equals the number provided in the list of buildings (evidence ii). Accordingly, France has also provided a correlation table (evidence iii) between the sites of the gendarmeries, the communes where each gendarmerie is located, the identifier number of each

building, the article number corresponding to the building, and in which invoice these identifier numbers are mentioned, in order to facilitate the analysis of the target for the specific case of the gendarmeries. These identifier numbers can be found in the Special Administrative Provisions (evidence iv) provided by the *Gendarmerie Nationale* on 19 August 2021, that is the contractual document containing all legal and financial provisions governing the performance of the earthquake-resistant works of the gendarmeries.

Regarding the nature of the work, targeted to be earthquake-resistant, France provided different types of evidence for each building.

For the gendarmeries, France provided a convention (evidence v) signed on 8 September 2021 between the Director of the Environment, Planning and Housing of Martinique (*Préfet de la Martinique*) and the Director of the Gendarmerie of Martinique. The convention certifies the financing granted by the State under the *Plan Relance*, to the three different gendarmeries and their 15 buildings, as part of the project of earthquake-resistant reinforcement works. The nature of the work is also included as the 'object of contract' in the different legal commitments made between the gendarmeries and the different construction companies (evidence vi, vii, and viii).

For the school, France provided a grant agreement (evidence xxi) signed on 7 July 2021 between the Ministry of Ecological Transition and the *Commune du Marin* testifying of a grant under the *Plan de Relance* to finance earthquake-resistant reinforcement works of a school to be built on the land purchased by the *Commune du Marin*. Accordingly, France provided an agreement signed on 27 August 2021 (evidence xxii) between the *Commune du Marin* (buyer) and the association La Myriam (seller) for the purchase of a land located in a zone of high seismic risk, in order to build a school on this land. The nature of the work is also included as the 'object of contract' in the legal commitment (evidence xxiv) made between the *Commune du Marin*, or the local mixed-economy company SEMAG representing the Commune (evidence xxiii), and the construction companies (evidence xxiv).

For the prefecture, France provided a commitment act of the award of contract (evidence xxvi) signed on 20 December 2021 between the *Prefecture of Guadeloupe* and the construction company *Getelec*. The object of this legal commitment is the earthquake-resistant reinforcement works for the prefecture *Palais d'Orléans* (Basse-Terre, Guadeloupe).

For the sub-prefecture, France provided a commitment act of the award of contract (evidence xxx) signed on 21 December 2021 between the *Prefecture of Guadeloupe* and the construction company *GTM Guadeloupe*. The object of this legal commitment is the earthquake-resistant reinforcement works for the sub-prefecture (Pointe-à-Pitre, Guadeloupe).

For the hospital, France provided a grant agreement (evidence xxxiv) signed on 11 August 2021 between the Ministry of Health (Ministère des Solidarités et de la Santé) and the *Hospital of Guadeloupe* (CHUG) testifying of a grant under the Plan de Relance to finance the earthquake-resistant reinforcement works of the hospital. The nature of the work is also included as the 'object of contract' in the legal commitment (evidence xxxv) made between the Hospital and the construction company ICM.

**In line with the description of the measure, the selection of buildings is made by the State after submission of application files by 31 December 2020. Furthermore, in line with the description of the measure, the legal commitment shall be finalised by 31 December 2022.**

The Council Implementing Decision required that the selection of buildings is made by the State after submission of application files by 31 December 2020. The call for tenders (evidence i) provides information on the process calendar for the implementation of the measure. In that respect, an action plan was established in 2020 and validated in April 2021. Whilst this constitutes a minimal deviation from the requirement of the Council Implementing Decision, the French authorities have provided two types of evidence to demonstrate the legal commitment for each project before 31 December 2022: a convention or grant agreement certifying the financing granted by the State under the *Plan Relance* for earthquake-resistant reinforcement works, and/or the legal commitment (such as, service order, commitment act of the award of contract) between the recipient and the construction company in charge of these reinforcement works. In particular:

For the three gendarmeries of Martinique and their respective buildings, a convention (evidence v) between the Director of the Environment, Planning and Housing of Martinique and the Director of the Gendarmerie of Martinique has been signed on 8 September 2021, certifying the financing granted by the State under the *Plan Relance*, to the three different gendarmeries and their 15 buildings, as part of the project of earthquake-resistant reinforcement works. Additionally, for the reinforcement works of the gendarmeries La Redoute and Le Lamentin, France provided the commitment act of the award of contract (evidence vi) signed on 30 November 2021 between the Gendarmerie of Martinique, and the construction company *Assistance BTP SASU*. For the reinforcement works of the gendarmerie La Redoute, France provided the service order (evidence vii) signed on 16 March 2022 between the construction company *Assistance BTP SASU* and the *Gendarmerie of Martinique*.

For the school, France provided a grant agreement (evidence xxi) of 7 July 2021 between the Ministry of Ecological Transition and the Commune du Marin testifying of a grant under the *Plan de Relance* to finance the earthquake-resistant reinforcement works. The agreement certifies that the Ministry allocates a grant in order to finance the first phase of construction of a school, as part of the seismic plan *Antilles 2021-2027 (Plan séisme Antilles)*. Additionally, France provided the commitment act of the award of contract (evidence xxiv) signed on 13 December 2021 between SEMAG, representing the *Commune du Marin*, and the construction companies *Anonym'Art Architecture*, *Berim* and *Tescol Antilles*, related to the project of earthquake-resistant reinforcement work of the school.

For the prefecture, France provided the commitment act of the award of contract (evidence xxvi) signed on 20 December 2021 between the *Prefecture of Guadeloupe* and the construction company *Getelec*, related to reinforcement works of the prefecture.

For the sub-prefecture, France provided the commitment act of the award of contract (evidence xxx) signed on 21 December 2021 between the *Prefecture of Guadeloupe* and the construction company *GTM Guadeloupe*, related to reinforcement works in the sub-prefecture.

For the hospital, France provided a grant agreement (evidence xxxiv) signed on 11 August 2021 between the Ministry of Health (Ministère des Solidarités et de la Santé) and *the Hospital of Guadeloupe* (CHUG) testifying of a grant under the *Plan de Relance* to finance the earthquake-

resistant reinforcement works of the hospital. Additionally, France provided the service order (evidence xxxv) signed on 26 April 2022 between the construction company *Ingenierie Constructions Modernes* (ICM) and the Hospital of Guadeloupe, related to the reinforcement works in the Hospital.

As of this, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**and works shall be started by 31 December 2023, for at least 15 buildings.**

For the gendarmerie La Redoute and its three buildings, France provided works status invoice No. 1 (evidence ix) from the construction company *Assistance BTP* signed on 8 December 2022 by both the company and the Gendarmerie de Martinique. The invoice (evidence ix) includes the name of the gendarmerie, and the subject and date found in the legal commitment (evidence vi). The invoice (evidence ix) also includes the identifier numbers of the three buildings related to the gendarmerie La Redoute, which corresponds to the identifier numbers provided in the correlation table (evidence iii). Additionally, the invoice (evidence ix) details the 'quantities realised in %', testifying therefore that the works have started. France has also provided invoice (evidence x) from *Assistance BTP*, signed on 8 December 2022, providing the same information (i.e., identifier numbers of the buildings, name of the of the gendarmerie, and the reference number of the market related to the legal commitment). This invoice (evidence x) testifies that the works have been successfully carried out. Accordingly, France has provided a copy of the certificate for payment of the statement of account (evidence xiii) signed on 13 December 2022 by the authorising officer of the Gendarmerie de Martinique, testifying of the payment of the invoice (evidence x). The certificate for payment (evidence xiii) includes the reference number of the market related to the legal commitment (evidence vi), the date of this legal commitment (evidence vi), and the name of the company in charge (*Assistance BTP*).

To be noted that in the work status invoice (evidence ix) a clerical error on the name of the Gendarmerie has been made by the company (Le Lamentin instead of La Redoute), but the number of the contract related to the legal commitment (evidence xiii) is correct. The French authorities has confirmed clerical error, and that this invoice is indeed related to La Redoute and not Le Lamentin. An administrative certificate (evidence xii) from the Gendarmerie de Martinique signed on 28 February 2024 was provided to attest the clerical error.

For the gendarmerie Le Lamentin and its six buildings, France provided a copy of the works status invoice No. 1 (evidence xiv) from the construction company *Assistance BTP* signed on 26 August 2022 by both the company and the Gendarmerie de Martinique. The invoice (evidence xiv) includes the name of the gendarmerie, and the subject and date of the legal commitment (evidence vi). The invoice (evidence xiv) also includes the identifier numbers of the six buildings of the gendarmerie Le Lamentin, which corresponds to the identifier numbers provided in the correlation table (evidence iii). Additionally, the invoice (evidence xiv) details the 'quantities realised in %', testifying therefore that the works have started. France has also provided invoice (evidence xvi) from the company *Assistance BTP*, signed on 3 November 2022, providing the same information (i.e., identifier numbers of the buildings, name of the of the gendarmerie, and the reference number of the market related to the legal commitment). This invoice (evidence xvi) testifies that the works have been successfully started. Accordingly, France has provided a copy of the certificate for payment of the

statement of account (evidence xvii) signed on 29 November 2022 by the authorising officer of the Gendarmerie de Martinique, testifying of the payment of the invoice (evidence xvi). The certificate for payment (evidence xvii) includes the reference number of the market related to the legal commitment (evidence vi), the date of this legal commitment (evidence vi), and the name of the company in charge (*Assistance BTP*).

For the gendarmerie La Trinité and its six buildings, France provided a copy of an invoice (evidence xviii) from the construction companies *Mex'Alu* and *Confort Sécurité Antilles* signed and sent to the Gendarmerie de Martinique on 27 September 2022. The invoice (evidence xviii) includes the name of the gendarmerie, and the subject of the legal commitment (evidence viii –). The invoice (evidence xviii) also includes the identifier numbers of the six buildings of the gendarmerie La Trinité, which corresponds to the identifier numbers provided in the correlation table (evidence iii). This invoice (evidence xviii) testifies that the works have been successfully started. Another invoice (evidence xix) from the construction company *SM2CM* to the Gendarmerie Trinité and signed on 10 October 2022, has been provided. The invoice (evidence xix) provides similar information, namely the identifier numbers of the six buildings of the gendarmerie La Trinité, corresponding to the identifier numbers provided in the correlation table (evidence iii). Accordingly, France has provided a copy of the certificate for payment of the statement of account (evidence xx) signed on 31 October 2022 by the authorising officer of the Gendarmerie de Martinique, testifying of the payment of the invoice (evidence xix). The certificate for payment (evidence xx) includes the reference number of the contract related to the legal commitment (evidence viii), the date of this legal commitment (evidence viii), and the name of the company in charge (*SM2CM*).

For the school, France provided a copy of an invoice (xxv) from the construction companies *Anonym'Art*, *Berim* and *Tescol*, signed by SEMAG on 20 April 2023. The invoice (evidence xxv) includes the name of the *Commune du Marin*, and the subject of the construction works as found in the legal commitment (evidence xxiv – *commitment act of the award of contract*). Furthermore, the invoice (evidence xxv) details the works realised, testifying therefore that the works have started before 31 December 2023.

For the prefecture, France provided a copy of the works status invoice No. 1 (evidence xxvii) of May 2022 signed by the construction company *Getelec*. The invoice (evidence xxvii) includes the subject of the construction works as found in the legal commitment (evidence xxvi – *commitment act of the award of contract*). Furthermore, the invoice (evidence xxvii) details the works realised, testifying therefore that the works have started before 31 December 2023.

For the sub-prefecture, France provided a copy of the works status invoice (evidence xxxi) from the construction company *IEGERO* from 27 November 2023, and a copy of the works status invoice (evidence xxxii) from the construction company *IEGERO* from 27 November 2023. Both invoice (evidence xxxi, xxxii) includes the subject of the construction works as found in the legal commitment (evidence xxx – *commitment act of the award of contract*). Furthermore, the invoice (evidence xxxi, xxxii) details the works realised, testifying therefore that the works have started before 31 December 2023.

Finally, for the hospital, France provided a copy of an invoice (evidence xxxvi) from the construction company *ICM* signed by the Hospital on 21 October 2022. The invoice (evidence xxxvi) includes the subject of the construction works as found in the legal commitment (evidence xxxv – *service order*). Furthermore, the invoice (evidence xxxi) details the works realised, testifying therefore that the



works have started before 31 December 2023.

**Commission Preliminary Assessment:** Satisfactory fulfilled.

<b>Number: 2-17</b>	Related Measure: C2.I10 Forest		
<b>Name of the Target:</b> Surface area of forests for which a grant has been committed in order to improve, adapt, regenerate or reconstitute the forest			
<b>Quantitative Indicator:</b> Hectares	<b>Baseline:</b> 0	<b>Target:</b> 30 000	<b>Time:</b> Q1 2023
<b>Context:</b> <p>The objective of this Investment is to mobilise funding for public and private forest owners to take on a dynamic sustainable forest management.</p> <p>Target 2-17 concerns surface area of forests for which a grant has been committed in order to improve, adapt, regenerate or reconstitute the forest.</p> <p>Target 2-17 is the only target for this investment.</p>			
<b>Evidence provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"><li>i. Summary document duly justifying how the target was satisfactorily fulfilled.</li><li>ii. The list of selected projects, indicating the unique identifier number (NIU), the location (department and region), the beneficiary, the project owner, and the area concerned, broken down by type of operation and by component of intervention.</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>iii. The terms of reference of the call for projects.</li><li>iv. Technical instruction DGPE/SDFCB/2021-118 16/02/2021</li><li>v. Decree No. 2021-54 of 22 January 2021 establishing an aid scheme for forestry renewal as part of the economic recovery plan.</li></ul> <p>In the context of the sampling analysis, evidence was provided for a sample of 60 units, including:</p> <ul style="list-style-type: none"><li>vi. Signed contracts for each project indicating the type of intervention and the surface</li><li>vii. Extracts of Osiris database indicating name of the beneficiary, type of intervention and surface</li><li>viii. Extract of the Osiris database indicating commitment of funds</li></ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"><li>ix. Diagnostic fiches (documents compiling technical observations on the land (such as size,</li></ul>			

types of trees in place) indicating the surface of the land

**Analysis:**

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

**Surface area of forests for which a grant has been committed in order to improve, adapt, regenerate or reconstitute the forest.**

France provided the list of selected projects (list of selected projects), indicating in particular the area concerned and the type of intervention. According to the list, there are 35 606 hectares of forests for which a grant has been committed to improve, adapt, regenerate or rebuild the forest, exceeding the target of 30 000 hectares established by the Council Implementing Decision.

The evidence provided for a sample of 60 units confirmed that the requirements of the target have been met for 58 projects. For each project, France provided a signed financial contract granting the aid to the project's owner and extracts of the Osiris database (projects database used by the Ministry of Agriculture) indicating the name of the beneficiary, the land surface and the type of intervention subsidised. In addition, France provided extracts of the Osiris database owned by the Ministry demonstrating that the aid had been committed. France explained that one project had been cancelled before commitment of fund. This project amounts to 1.40 hectares. France also indicated that for one project the funds will ultimately not be disbursed as the beneficiary passed away. While the project complied with all the requirements of the measure, a conservative approach was adopted and the project was considered as a fail. For 1 out of 60 sample units the surface area indicated in the Osiris database did not match the relevant surface indicated in the list of selected projects. France indicated that the updated information is included in the Osiris database. A conservative approach was adopted, and the lower value was retained. On this basis, a statistical analysis was carried out comparing the reported 537.72 hectares to the actual 527.27 hectares of the sample and taking into account the significant overachievement of the target of 36 606 hectares for a required 30 000 hectares. The conclusion is that there is statistical assurance that a grant has been committed for 30 000 hectares of forests. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Moreover, in line with the description of the measure, three types of intervention are covered: Improvement of forests stands of low economic and environmental quality; Restoration of the forests seriously affected or destroyed by bark beetles in Eastern France (mainly in the Grand-Est and Bourgogne-Franche-Comté regions); Adaptation of forest stands that are vulnerable to the impacts of climate change.**

France provided the terms of reference of the call for projects. Section 4 of the document lists the types of intervention that are covered by the measure, which are in line with the description:

- i. the restoration of forest stands affected, particularly in the context of the bark beetles crisis in the Grand-Est, Bourgogne-Franche-Comté and Auvergne-Rhône-Alpes regions.
- ii. adaptation of vulnerable forests to climate change

iii. Forest of low economic and environmental quality.

Furthermore, the contracts provided by the authorities for the projects included in the sample confirmed that, out of the 60 contracts checked, all types of intervention were covered by at least one project.

**Moreover, in line with the description of the measure payments shall be made until 31 December 2024.**

Section III 2 of the technical instructions (Technical instruction DGPE/SDFCB/2021-118 16/02/2021) for the implementation of the measure details the timeline for achievement of the projects and payments, and states that all payments shall be made before the end of the 2024 budget year.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 3-3	Related Measure: C3.R1 Mobility law
<b>Name of the Milestone:</b> Article 3 of Law No 2019-1428 of 24 December 2019	
<b>Qualitative Indicator:</b> Establishment of the update	<b>Time:</b> Q4 2023
<b>Context:</b> The mobility law aims at a deep transformation of transport and mobility with the objectives of improved daily service, meeting the needs of the entire population and of an accelerated decarbonisation of the sector. Milestone 3-3 concerns the establishment of the update of the revised legislation updating the financial and operational programming of State investments in transport (Law N° 2019-1428 of 24 December 2019). Milestone 3-3 is the third and last milestone of the reform, and it follows the completion of milestone 3-1 and milestone 3-2, related to entry into force of the implementing decrees and measures under Article 35.2 and 172 of the Mobility Law n° 2019-1428 of 24 December 2019, regarding financial allocations to drivers offering car sharing and management transfer to the regions of the rail network (both assessed under the first payment request).	
<b>Evidence provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided: <ul style="list-style-type: none"><li>i. Summary document</li><li>ii. The comparison before/after Transport Infrastructure Financing Agency of France (AFIT France) financial and operational programming.</li></ul> The authorities also provided: <ul style="list-style-type: none"><li>iii. Annexe-1. Article-3-de-la-lom (Extract of Law N° 2019-1428 of 14 December 2019).</li><li>iv. Annexe-2a. Prime Minister speech of 24 February 2023 (Submission of the report of the</li></ul>	

- v. Infrastructure Guidance Board (COI), and presentation of a future transport plan.
- vi. Annexe-2b. Infrastructure Guidance Board (COI) report on Mobility Strategy 2023-2042.
- vii. Annexe-3. Law n°2023-1195 of 18 December 2023 -Public Finance Programming for 2023-2027- Official Journal of French Republic of 19 December 2023.
- viii. Annexe-4a. Law n° 2023-1322 of 29 December 2023 on Finances of 2024) - Official Journal of French Republic of 30 December 2023.
- ix. Annexe-4b. Law project for Finance 2024 for green transition.
- x. Annexe-4c. Annual performance project (203) of 2024 for Transport infrastructure and services.
- x. Transport Infrastructure Financing Agency of France 2024 budget.

**Analysis:**

The Commission considers that there is a clerical error in the description of the milestone of the Council Implementing Decision and has undertaken the assessment on a revised basis.

The description of milestone 3-3 states that the establishment of the update should be done before 30 June 2023 as laid down in Article 3 of Law No 2019-1428 of 24 December 2019 (page 28 of Revised Annex to the Council Implementing Decision). However, in the measure’s description and in the indicative timeline for completion of the milestone, the revision and update of the financial and operational programming of the State investments in transport infrastructure is to be done by 31 December 2023 (page 23 and page 28 of Revised Annex to the Council Implementing Decision). This latter date is the one considered relevant for the fulfilment of the target as laid out in the French Recovery and Resilience Plan (page 252), submitted by France after the adoption of Law No 2019-1428. In that respect, the plan does not include reference to a revision by mid 2023, but rather to a revision by 2023.

Against this background, the justification and substantiated evidence provided by the French authorities cover all constitutive elements of the milestone.

**Establishment of the update of the revised legislation updating the financial and operational programming of State investments in transport, as laid down in Law No 2019-1428 of 24 December 2019 on mobility pursuant to Article 3 of that law, before 30 June 2023.**

As indicated in Article 3 point III of Law No 2019-1428 of 24 December 2019 (evidence iv) on guiding mobility, ‘The financial and operational programming of State investments in transport laid down by this Law shall be updated for the first time by 30 June 2023 at the latest and every five years thereafter’.

In the Law No. 2023-1195 of 18 December 2023 on the *Programming of public finances for the years 2023 to 2027* (evidence vi) the report annexed explain the progress in mobility investments in the chapter ‘Financing green planning and increasing productive investment’ where we read ‘Commitments on mobility, in particular the evolution of transport infrastructure and the greening of the car fleet, will increase by EUR 1.6 billion’. The French authorities provided the *presentation of 24 February 2023 of Prime Minister* (evidence iv) with the conclusion of the *report of the Infrastructure Guidance Board (COI)* (evidence v) and the Government Transport Future Plan. Furthermore, the *Law on Finances of 2024 No. 2023-1322 of 29 December 2023*, notably in articles 139, 222, 236 and 237 and ETAT G (evidence vii) confirmed the *20 % increase in budget compared to 2023 in the Transport Infrastructure Financing Agency of France (AFIT France’s)* (evidence x) and confirmed the *Annual performance project (203) Transport infrastructure and services* (evidence ix) as projects to be implemented.

The comparison before/after of the Transport Infrastructure Financing Agency of France (AFIT

France's financial and operational programming, was adopted on 25 January 2024 (ii).

**Furthermore, in line with the description of the measure, the government shall revise and update the financial and operational programming of the State investments in transport infrastructure by 31 December 2023, as foreseen in the law.**

The financial and operational programming of the State investments in transport has been revised and updated on 29 December 2023 as demonstrated by Law no 2023-1322 of 29 December 2023 (evidence vii), articles 139, 222, 236 and 237 and ETAT G in relation to the increase in budget and projects to be implemented.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 3-11	Related Measure: C3.I1 Support to railway		
<b>Name of the Target:</b> Local railways lines			
<b>Quantitative Indicator:</b> Kilometres	<b>Baseline:</b> 0	<b>Target:</b> 500	<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>This measure aims at improving and modernising the railway network, in order to increase the use of railways as an alternative to road transport.</p> <p>The measure is split into two parts. The first part shall be undertaken by the Agency responsible for investing in transport infrastructure (<i>Agence de financement des infrastructures de transport de France - AFITF</i>). The second part shall be used to recapitalise the French national railway company SNCF. This part is divided into three sub-measures which target: the renovation of national railway infrastructure, the renovation of local railway infrastructure, and the improvement of the security and reliability of the railway network.</p> <p>Target 3-11 constitutes the second part of this measure, and it concerns 500 kilometres of renovated small local lines (in total).</p> <p>Target 3-11 is the seventh target of the investment, and it follows the completion of milestone 3-5 related to the conclusion of the funding agreement(s) by AFITF, target 3-6 related to new switches installed, target 3-7 related to new catenaries installed, target 3-8 related to regenerated railway lines, target 3-9 related to reinforced tunnels and milestone 3-10 related to the environmental treatment of railways. It will be followed by target 3-12 related to renovated freight lines, target 3-13 related to renovated small local railways lines, and target 3-14 related to renovated freight lines. The investment has a final expected date for completion in Q4 2025.</p> <p>In line with the description of the measure, the recapitalization process of SNCF, which is not captured under any milestone or target in the measure, needs to outline how compliance with transparency requirements and State aid rules is ensured, with particular reference to accounting separation to avoid cross-subsidisation between economic and non-economic activities of SNCF</p>			

Réseau. The French authorities have provided such an outline to the Commission. In accordance with recital 57 of the Council Implementing Decision, the Council Implementing Decision is without prejudice to the outcome of any procedures relating to distortions of the operation of the internal market that may be undertaken, in particular under Articles 107 and 108 of the Treaty, where the examination of the outline provided by the authorities is taking place in that context.

**Evidence Provided:**

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

- i. A summary document duly justifying how the target was satisfactorily fulfilled.
- ii. An Excel file which includes a list of regenerated railway lines, and which specifies for each: the date of works (column E and F) and the name of the renovated line (column C).

In the context of the exhaustive analysis of all projects, evidence was supplied, including:

- iii. Financing agreement between the State, region, and SNCF Réseau related to renovation projects on small lines (hereinafter referred to as ‘financing agreement’).
- iv. Reports after completion of the works, specifying the date of the completion of works (hereinafter referred to as ‘completion reports’).
- v. Purchase orders.
- vi. Document stipulating the handover of the line to the maintainer after completion of the renovation works (hereinafter referred to as ‘handover document’).
- vii. CONFIDENTIAL: National inventory file of small lines serving the territories 2022 which shows, for each line, its length and estimated future investment needs (hereinafter referred to as ‘national inventory file’).
- viii. Extracts of the official database showing the analytical account number of the works and the name of the line section (hereinafter referred to as ‘database extract’).

**Analysis:**

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

**Kilometres of renovated small local lines (in total).**

The Excel file (see evidence ii) indicates that a total of 648 kilometres of railway lines were regenerated across 13 projects, exceeding the target of 500 kilometres established by the Council Implementing Decision. For the purpose of the assessment of the target, all 13 projects have been verified, based on the evidence submitted by the French authorities.

The number of kilometres per project is evidenced by the Excel file shared by SNCF Réseau (see evidence ii) which is referring to a line or a line section and the national inventory file (see evidence vii) which is demonstrating the number of kilometres of the line or line section.

**Furthermore, in line with the description of the measure, the measure shall finance the renovation of local railway lines undertaken in cooperation with the State and the regions.**

**The measure shall finance the complete renovation of local railway lines (such as tracks, rails, ballast, and rail devices).**

For each of the projects, France provided a financing agreement (see evidence iii). The financing agreements demonstrate that both the State and the region are investing in cooperation in the renovation of the railway lines.

Regarding the nature of the works, complete renovation of the line implies that the components of the track such as tracks, rails, ballast, and rail devices are renovated, allowing the usability of the line at normal speed after the works. The nature of the renovation work was evidenced by the financing agreement of the projects (see evidence iii), completion reports (see evidence iv), purchase orders (see evidence v), handover document which is issued once all the works described in the financing agreement are implemented (see evidence vi) and the database extract (see evidence viii). The evidence could be cross-checked either via the project number (analytical account), which appears on several documents, or by the location of the line and/or its number.

Regarding the number of kilometres considered for the target, two situations can arise: (i) The number of kilometres of the entire line section is considered renovated if renovation works occurred on one or several subsections and no further investment are identified on the line section up to year 2030 (meaning that the line section is renovated completely). This concerns six out of 13 files for a total of 490 km that are considered renovated. The fact that no further investments are identified is evidenced by the absence of significant reservations (*'réserve'*) such as speed limitations in the handover document and/or of future investments listed for the line in the national inventory file. For one project, future investments were listed, however the French authorities presented a justification. (ii) Only the number of kilometres of works of effective renovation if further investment needs are identified elsewhere on the line section demonstrating that the line is not renovated on its entire length. This concerns seven files out of 13 for which some sections not renovated were excluded and a total of 98 km is considered renovated. In total, the demonstrated number of renovated kilometres of local railway lines across the 13 projects is 588 kilometres.

**Commission Preliminary Assessment:** Satisfactory fulfilled

<b>Number:</b> 3-12	Related Measure: C3.I1 Support to railway		
<b>Name of the Target:</b> Renovated freight lines			
<b>Quantitative Indicator:</b> Kilometres	<b>Baseline:</b> 0	<b>Target:</b> 150	<b>Time:</b> Q4 2023
<b>Context:</b>			

This measure aims at improving and modernising the railway network, in order to increase the use of railways as an alternative to road transport.

The measure is split into two parts. The first part shall be undertaken by the Agency responsible for investing in transport infrastructure (*Agence de financement des infrastructures de transport de France – AFITF*). The second part shall be used to recapitalise the French national railway company SNCF. This part is divided into three sub-measures which target: the renovation of national railway infrastructure, the renovation of local railway infrastructure, and the improvement of the security and reliability of the railway network.

Target 3-12 concerns 150 kilometres of renovated freight lines (in total).

Target 3-12 is the eighth target of the investment and it follows the completion of milestone 3-5 related to the conclusion of the funding agreement(s) by AFITF, target 3-6 related to new switches installed, target 3-7 related to new catenaries installed, target 3-8 related to regenerated railway lines, target 3-9 related to reinforced tunnels, milestone 3-10 related to the environmental treatment of railways and target 3-11 related to small local lines. It will be followed by target 3-13 related to renovated small local railways lines, and target 3-14 related to renovated freight lines. The investment has a final expected date for completion in Q4 2025.

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

**Evidence Provided:**

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

- i. A summary document duly justifying how the target was satisfactorily fulfilled.
- ii. An Excel file which includes a list of regenerated railway lines, and which specifies for each: the date of works (column E and F) and the name of the renovated line (column C).

In the context of the exhaustive analysis of all projects, evidence was supplied, including:

- iii. Financing agreement between the State, region, and SNCF Réseau related to renovation projects on freight lines (hereinafter referred to as ‘financing agreement’).
- iv. Reports after completion of the works, specifying the date of the completion of works (hereinafter referred to as ‘completion reports’).
- v. Service orders for several of the renovation projects.



- vi. Document stipulating the handover of the line to the maintainer after completion of the renovation works (hereinafter referred to as 'handover document').
- vii. Extracts of the official database showing the analytical account number of the works and the name of the line section (hereinafter referred to as 'database extract').

**Analysis:**

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

**Kilometres of renovated freight lines (in total). Furthermore, in line with the description of the measure, the measure shall contribute to the renovation of freight lines and embedded logistic platforms.**

The Excel file (see evidence ii) indicates that a total of 165 kilometres of railway lines were regenerated across five projects exceeding the target of 150 kilometres established by the Council Implementing Decision. For the purpose of the assessment of the target, all five projects have been verified, based on the evidence submitted by the French authorities.

The number of kilometres per project is evidenced by the Excel file shared by SNCF Réseau (see evidence ii) which is referring to a line or a line section and the financing agreement (see evidence iii) which is demonstrating the number of kilometres of the line or line section.

For each of the projects, France provided a financing agreement (see evidence iii). The financing agreements demonstrate that France is investing in the renovation of the freight lines. Regarding the nature of the works, renovation of the line implies that the components of the track such as tracks, rails, ballast, and rail devices are renovated, allowing the usability of the line at normal speed after the works. Regarding the number of kilometres considered for the target, the number of kilometres of the entire line section is considered renovated if renovation works occurred on one or several subsections and no further investments are identified on the line section. The fact that further investments are identified is evidenced by the presence of significant reservations ('*réserve*') such as speed limitations in the completion report (see evidence iv) or the handover document (see evidence vi).

The renovation work was evidenced by the financing agreement of the projects (see evidence iii), completion reports (see evidence iv), service orders (see evidence v), handover document which is issued once all the works described in the financing agreement are implemented (see evidence vi) and the database extract (see evidence vii). The evidence could be cross-checked either via the project number (analytical account), which appears on several documents, or by the location of the line and/or its number. The demonstrated number of renovated kilometres of freight lines is 165 kilometres.

The Commission considers that there is a clerical error in the text of the Council Implementing Decision as regards the description of investment C3.I1 and has undertaken the assessment on a revised basis. In particular, target 3-12 establishes a target concerning exclusively freight lines, whereas the description of investment C3.I1 refers in addition to the renovation of embedded logistic platforms. However, the French Recovery and Resilience Plan (page 209) indicates that,

although France intends to develop embedded logistics platform, only the renovation of the freight tracks shall be financed via the Recovery and Resilience Facility. Therefore, the reference to embedded logistic platforms in the description of the investment constitutes a clerical error. Against this background, the justification and substantiating evidence provided by the French authorities cover all constitutive elements of the target.

**Commission Preliminary Assessment:** Satisfactory fulfilled

<b>Number: 3-23</b>	Related Measure: C3.I4 Acceleration of transport infrastructure works		
<b>Name of the Target:</b> Charging stations			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 1 500	<b>Time:</b> Q2 2023
<p><b>Context:</b></p> <p>The measure concerns the modernisation of existing transport infrastructure to adapt it to new means of transport, local needs and green transition. It aims to facilitate the integration of car-sharing and electric vehicles as an alternative to private cars. It also aims to increase digitisation and integration of new technologies for the functioning and surveillance of the river infrastructure to make it a credible alternative to road freight transport.</p> <p>Target 3-23 requires the installation and opening to the public of 1 500 new electric charging points on national roads and high-speed roads.</p> <p>Target 3-23 is the third target of the investment, and it follows the completion of milestone 3-21, related to the adoption of the French Transport Infrastructure Financing Agency (AFITF) funding agreement for the implementation of the investment, and milestone 3-22, related to the signature by the ASP (l'Agence de Services et de Paiement) of the funding agreement for new charging stations. It will be followed by target 3-24, related to reserving kilometres of road lanes for public transport or carpooling, target 3-25, related to the renovation and modernisation of projects for waterways, and target 3-26, related to the modernisation of the digital management system for maritime affairs.</p> <p>The investment has a final expected date for implementation in Q4 2024.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>i. A summary document duly justifying how the target was satisfactorily fulfilled.</li> <li>ii. An Excel file which includes a list of 170 projects, and which specifies for each: the project identification code (column A), the name of the beneficiary (column B), the location (column C), date of completion (column D), and the number of charging points for each station (columns E for ultra-fast 'direct current' charging points (with a charging capacity</li> </ol>			

over 150 kWh) and column F for other 'direct current' charging points, not ultra-fast). In total, the number of charging stations reported in the Excel file is 1615.

In the context of the full population analysis, evidence was provided for all the 170 units, including:

- iii. Reference to the open database 'Consolidated list of Electric Vehicle Charging Stations' which is managed by the French public administration according to the 'Order of 4 May 2021 on data concerning the geographical location and technical characteristics of charging stations and points for electric vehicles' published in the Official Journal on 5 May 2021. Link to the database: [Fichier consolidé des Bornes de Recharge pour Véhicules Électriques \(IRVE\) - data.gouv.fr](https://data.gouv.fr/); and link to the Order: [Arrêté du 4 mai 2021 relatif aux données concernant la localisation géographique et les caractéristiques techniques des stations et des points de recharge pour véhicules électriques - Légifrance \(legifrance.gouv.fr\)](https://legifrance.gouv.fr/).
- iv. Reference to the public website 'Chargemap' which points on a map electric vehicle charging stations that are open to the public. Link to the map: [Carte des bornes de recharge pour voitures électriques | Chargemap](https://chargemap.com/).
- v. Reference to the public website 'Vinci-autoroutes.com' which provides a map of service areas managed by private company Vinci autoroutes with details of facilities for each service area, including electric vehicle charging stations that are open to the public. Link to the website: [Services sur aires, calcul itinéraire & trajet | VINCI Autoroutes \(vinci-autoroutes.com\)](https://vinci-autoroutes.com/).

The authorities also provided:

- vi. Explanations on joint-venture SSEC, between Certas Energy and Engie Solutions, including reference to Certas Energy website announcement: [CERTAS Energy France et ENGIE Solutions s'associent pour la recharge électrique sur le réseau autoroutier – Certas Energy Retail France](https://certasenergy.com/)
- vii. Declarations of work completion for 31 projects.
- viii. A letter and a table providing details on 23 projects installed by promoter TotalEnergies.
- ix. Email exchanges between the French authorities in charge of the implementation of the project (General Directorate for Energy and Climate) and company Ionity, promoter of 6 charging stations part of the sampling analysis.

#### **Analysis:**

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

#### **Number of charging stations open to the public.**

The evidence provided for the entire population of 170 units confirmed that 1 780 charging stations are open to the public, which confirms that the target of 1 500 established by the Council Implementing Decision has been met.

To verify the number of charging stations open to the public the following approach was taken.

First, the 'Consolidated list of Electric Vehicle Charging Stations' (hereinafter referred to as 'IRVE database') is managed by the French public administration according to the Order of 4 May 2021 on data concerning the geographical location and technical characteristics of charging stations and points for electric vehicles published in the Official Journal on 5 May 2021 (hereinafter referred to as 'Order of 4 May 2021'). This publicly open database is consolidated and published by the teams of data.gouv on the basis of data provided by promoters, as per Article 1 of the Order of 4 May 2021. This database contains *inter alia* the name of the company installing and operating the charging stations, the precise location of the service area (name of the highway and of the service area), and the number of installed charging stations per service area.

Second, the public website Chargemap which maps electric vehicles charging stations to facilitate access to charging stations by electric vehicle drivers. Chargemap is a private company which allows users to freely update and modify information on electric vehicles charging stations. The updates on openness of charging stations suggested by users are double checked by Chargemap based on pictures and written testimonials. The map details *inter alia* the name of the company operating the charging stations, the precise location of the service area, and the number of charging stations open to the public per service area. The map also gives users a live view of the charging points available.

Before verifying the entire population of 170 service areas, a sample analysis was conducted on 60 units. For 25 units the exact number of open charging stations reported did not match the number observed. For complete reassurance on the fulfilment of the target, the entire population of 170 units was verified.

The verification of the 170 service areas was based on the location of the service area and the name of the promoter indicated in the Excel file (evidence ii) compared to publicly available information on the IRVE database (data.gouv, evidence iii) and Chargemap (evidence iv).

For 12 service areas for which the reported name of project promoter is 'SSEC', the name of company Engie was considered on Chargemap and the IRVE database. From the French authorities' explanations (evidence vi), SSEC is a joint-venture between Certas Energy and Engie Solutions. All the 12 service areas where projects were promoted by SSEC were reported on Chargemap and the IRVE database as 'Engie' service areas.

For 15 service areas for which the project promoter is company Ionity, the name of the company only appeared in the email under the 'contact\_amenageur' and 'contact\_operateur' columns in the IRVE database (data.gouv). To ensure that the charging stations were open to the public, the checks on the two open databases were complemented by a third source: public website Vinci-autoroutes.com.

Vinci-autoroutes.com is a website managed by private company Vinci autoroutes, which is the largest French motorway concession and management company. The website provides information from Vinci on the facilities available in service areas managed by Vinci autoroutes. Vinci-autoroutes.com lists the name of the company operating the charging stations, the precise location of the service area (name of the highway and of the service area), and the number of charging stations open to the public per service area.

For projects promoted by TotalEnergies, a supplementary check based on the letter and table providing details on all projects installed by promoter TotalEnergies (evidence viii) was conducted to

ensure the correct identification of the project location.

**Furthermore, in line with the description of the measure, it shall finance the installation of new electric charging points on national roads and high speed roads.**

The Excel file listing 170 projects provided by the French authorities reported that 163 projects were installed on highways and seven projects on national roads. The installation of the new electric charging points on seven national and 163 high speed roads was verified as part of the location verification in the full population analysis.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 3-24</b>	Related Measure: C3.I4 Acceleration of transport infrastructure works		
<b>Name of the Target:</b> Kilometres of reserved lanes completed			
<b>Quantitative Indicator:</b> Kilometres	<b>Baseline:</b> 0	<b>Target:</b> 20	<b>Time:</b> Q2 2023
<b>Context:</b> <p>The measure concerns the modernisation of existing transport infrastructure to adapt it to new means of transport, local needs and green transition. It aims to facilitate the integration of car-sharing and electric vehicles as an alternative to private cars. It also aims to increase digitisation and integration of new technologies for the functioning and surveillance of the river infrastructure to make it a credible alternative to road freight transport.</p> <p>Target 3-24 requires the completion of 20 kilometres of reserved lanes on roads for public transport or carpooling.</p> <p>Target 3-24 is the fourth target of the investment, and it follows the completion of milestone 3-21, related to the adoption of the French Transport Infrastructure Financing Agency (AFITF) funding agreement for the implementation of the investment, milestone 3-22, related to the signature by the ASP (l'Agence de Services et de Paiement) of the funding agreement for new charging stations, and target 3-23, related to the installation of charging stations for electric vehicles. It will be followed by target 3-25, related to the renovation of river networks, and target 3-26, related to the modernisation of the digital management system for maritime affairs.</p> <p>The investment has a final expected date for implementation in Q4 2024.</p> <p>Following the completion of this milestone, in line with the description of the measure in the Council Implementing Decision, France will create low emission zones. This is a further step of this investment that is not linked to the milestones and targets related to this measure in the Council Implementing Decision.</p>			
<b>Evidence Provided:</b> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"><li>i. A summary document duly justifying how the target was satisfactorily fulfilled.</li></ol>			

- ii. An Excel file which includes a list of projects, and which specifies for each: the project beneficiary (column A), the location and road identification (columns B and C), the dates of beginning and end of the works (columns D and F) and the number of kilometres of lane reserved (column F, total in cell F10).
- iii. Prefectoral Orders (*'Arrêté préfectoral'*) certifying the entry into service of kilometres of reserved lanes for 5 projects, signed by prefects (hereinafter referred to as 'Prefectoral Orders of entry into service').
- iv. Prefectoral Orders (*'Arrêté préfectoral'*) amending traffic regulation on specific road sections certifying the number of kilometres of application of the reserved lanes as needed for 4 projects, signed by prefect (hereinafter referred to as 'Prefectoral Orders of traffic regulation').
- v. Service order (*'Ordre de service'*) DGITM-DMR-TUD-25-2022 No. 4 signed by the Directorate of road transport on 6 February 2024 in relation to the public contract TUD-25-2022 issued on 29 December 2022.
- vi. Photo files of location No. VR2+\_038\_0001 on national road RN137 and location No. VRTC\_974\_001 on national road RN2 in La Réunion, realised under the public contract TUD-25-2022 issued on 29 December 2022, submitted by SPIE to the Directorate of road transport on 11 November 2024.

The authorities also provided:

- vii. A decision of entry into service (*'Décision de mise en service'*) of the Interdepartmental Directorate of Mediterranean Roads (*'Direction Interdépartementale des Routes Méditerranéenne'*) for the reserved lane on the A50 highway, signed by the Director of the Interdepartmental Directorate of Mediterranean Roads on 13 November 2023.
- viii. Reports of inspection prior to entry into service of reserved lanes signed by State inspectors in charge of road safety, for 4 projects.
- ix. Approval decision on Project studies and corresponding project studies for 2 projects on highway A7:
  - Approval decision on project '*A7/RD9 Entrée d'Agavon*' was signed by the Director of the Interdepartmental Directorate of Mediterranean Roads on 15 November 2023. The corresponding '*Rapport de présentation - Autoroute n°7 Aménagement d'une Voie Réservée aux Transports en Commun entre la RD9 et l'entrée d'Agavon*' was finalised in January 2023.
  - Approval decision on project '*A7 – Voie réservée aux transports en commun entre l'échangeur n°31 et le divergent A7/A517*' was signed by the Director of the Interdepartmental Directorate of Mediterranean Roads on 29 November 2023. The corresponding '*Rapport de présentation - VRTC A7 - échangeur 31 - divergent A517*' was finalised in October 2023.

#### **Analysis:**

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

#### **Kilometres of reserved lanes for public transport or carpooling finalised.**

The French authorities submitted an Excel file listing eight projects of lanes reserved for public transport or carpooling, for a total amount of 23.9 kilometres.

Based on the information extracted from the Prefectoral Orders of entry into service and the

Prefectoral Orders of traffic regulation, at least 20.679 kilometres of reserved lanes for public transport or carpooling were finalised as part of six projects on the following roads: A1, A50, A83, RN118 and RN137. The target of 20 kilometres of reserved lanes is therefore achieved.

For the two projects on the A1 highway the Prefectoral Orders of entry into service indicate the precise sections of roads reserved for public transport or carpooling (location and length, based on the French national road landmarks). For four projects (on national roads RN118 and RN137, and highways A50 and A83), the Prefectoral Orders of traffic regulation allow to confirm the entry into service of the reserved lanes and precisely identify the number of kilometres reserved. Additionally, the Prefectoral Orders of entry into service of three projects (on RN118, RN137 and A83) indicate the name of the road and the opening of reserved lanes, confirming the information verified in the Prefectoral Orders of traffic regulation. For the project on the A50 highway, the decision of entry into service for the reserved lane confirms the information verified in the Prefectoral Orders of traffic regulation.

Based on the Approval decision on project studies and corresponding Project studies provided by the French authorities, the two projects on highway A7 are not finalised yet. Therefore, the length of reserved lanes for both projects was excluded from the total of 20.679 kilometres.

**Furthermore, in line with the description of the measure, priority shall be given to public transport and carpooling with building of reserved lanes and installation of devices to control them.**

Control devices for the reserved lane were installed on national roads RN137 (from Nantes to Rennes) and RN2 (Sainte Marie de la Réunion). As stated by the Service order DGITM-DMR-TUD-25-2022 No. 4 signed by the Directorate of road transport on 6 February 2024 (hereinafter referred to as 'Service order'), companies SPIE and PRYNTEC are in charge of installing devices to control the enforcement of carpooling (VR2+) and public transport (VRTC) lanes using automatic detection systems under public market TUD-25-2022 notified on 29 December 2022. The Service order refers to six control devices including two on national roads RN137 and RN2. As demonstrated by the Photo files (evidence vi), the control devices were installed on road sections reserved for carpooling and public transport.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 3-28	Related Measure: C3.I5 Greening of the State's fleet		
<b>Name of the Target:</b> Number of electric and plug-in hybrid vehicles purchased by the French administration			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 1 291	<b>Target:</b> 4 200	<b>Time:</b> Q3 2023
<b>Context:</b>			
The objective of this investment is renewing the car's fleet of three administrations: the police and gendarmerie (Ministry of the Interior), the Directorate General for Customs and Excise (Ministry of Finance), and the penitentiary administration (Ministry of Justice). The combined fleets of these			

three bodies represent the majority of the State's vehicles but at the same time show an old age, high mileage, and low renewal rate. The fleet's greening plan for 2021 and 2022 prioritizes the purchase of clean vehicles (electric or plug-in hybrids).

Target 3-28 requires the purchase of in total 4 200 electric and plug-in hybrid vehicles for the police and gendarmerie (Ministry of the Interior), the Directorate General for Customs and Excise (Ministry of Finance), and the penitentiary administration (Ministry of Justice) (cumulative). Target 3-28 is the second and last target of the investment, and it follows the completion of target 3-27, related to the purchase of 1 291 electric and plug-in hybrid vehicles by the French administration.

**Evidence Provided:**

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

- x. Summary document duly justifying how the target was satisfactorily fulfilled.
- xi. List of beneficiaries (Annex 1)
- xii. In the context of the sampling analysis, additional evidence was provided for a sample of 60 units attesting the purchase of the vehicles. The evidence included purchase orders (Bon de commande), advance payment statements, car registration lists and invoices (facture) (hereinafter 'sampling evidence').

The authorities also provided:

- i. Invoices for the purchase of recharging stations (hereinafter 'recharging station evidence').

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

**Electric and plug-in hybrid vehicles in total for Ministry of the Interior, Directorate General for Customs and Excise and Ministry of Justice (cumulative).**

France provided the list of beneficiaries indicating the ministry, the type of vehicle, the engine type, the model of the car and the legal dossier number of the purchased vehicles. The total number of vehicles purchased by Ministry of the Interior, Directorate General for Customs and Excise and Ministry of Justice according to the list of beneficiaries sums up to 4 620 electric and plug-in hybrid light vehicles, therefore in excess of the target of 4 200 (List of beneficiaries). The evidence provided for a sample of 60 units confirmed that the requirements of the target have been met for 59 of the units. For one sample, no invoice was submitted (sampling evidence). A statistical analysis was carried out taking into account the overachievement of the target with 4 620 compared to the required target of 4 200, which concluded that there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled. More specifically, the evidence provided allowed to verify that the vehicles were purchased by one of the three ministries, the type of vehicle (100% light vehicles), the engine type (electric or plug-in hybrid), the model, and the price. The vehicle's chassis number as included on the invoice demonstrated that the purchased



vehicle has been registered by the French authorities (except one invoice which did not include the chassis number per car – in that case a cross-check was done between the numbers of cars on the invoices for which registration fees were paid and the numbers of vehicles indicated in the legal dossier ('EJ associé').

**Furthermore, in line with the description of the measure, the fleet's greening plan for 2021 and 2022 prioritizes the purchase of clean vehicles (electric or plug-in hybrids). In total, the investment shall help purchasing 3465 clean vehicles for the Ministry of the Interior, 570 for the Directorate General for Customs and Excise, and 530 for the Ministry of Justice.**

The objective in the description of the measure, with a purpose for all three entities to purchase electric and plug-in hybrid vehicles, is higher (4 565 = 3 465 + 570 + 530) than the number in the target (4 200) that required cumulative purchased vehicles only. The list of beneficiaries demonstrates that the clean vehicles purchased by the Ministry of the Interior was equal to the objective 3 465, for the Directorate General for Customs and Excise amounted to 616 (above the objective of 570) and for the Ministry of Justice a total of 539 (also above the objective of 530). The total amount of vehicles purchased by the three entities is therefore also in line with the objectives set in the description of the measure (List of beneficiaries).

**Furthermore, in line with the description of the measure, the investment shall also support the purchase of recharging stations.**

The French authorities reported that 632 charging stations were purchased by the Directorate General for Customs and Excise and 250 charging stations by the Ministry of Justice (Summary document). The evidence provided included invoices from both ministries for the purchase of electric charging stations and the installation by private companies ('recharging station evidence').

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 3-30	Related Measure: C3.I6 Greening of harbours		
<b>Name of the Target:</b> New electrical connections on docks			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 9	<b>Time:</b> Q4 2023
<b>Context:</b>			
The objective of investment is to support alternative fuel and cleaner vessels. The measure is divided into two sub-measures: 1) the installation of nine new electric connections to offer alternative fuel on harbour docks to cruise ships, passenger ships and container ships by the end of 2023, in locations such as the Havre-Rouen-Paris dock network, the docks in Marseille or the Pointe des Grives dock in Martinique; 2) the financing of new vessels emitting lower emission for the			

vessels fleet of the department in charge of maritime affairs at the Ministry for Ecology.

Target 3-30 requires the installation of nine new electrical connections on docks.

Target 3-30 is the second target of the investment, and it follows the completion of milestone 3-29 related to the adoption by the French Transport Infrastructure Financing Agency (*'Agence de financement des infrastructures de transport de France'* - AFITIF) board of the financing agreements. It will be followed by milestone 3-31 related to the completion of the acquisition of vessels for the maritime affairs services. The investment has a final expected date for implementation in Q1 2025.

**Evidence Provided:**

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

- i. A summary documents duly justifying how the target was satisfactorily fulfilled.
- ii. A list of three ports with the name of the port (which includes the location), the number of new electric connections on harbour docks and the dates the works started and finished.

The authorities also provided:

- iii. For the port of Marseille (four connections):
  - a. Contract award notice (*'avis d'attribution du marché'*), tender notice No. 676357-2021 in the Official Journal (<https://ted.europa.eu/en/notice/-/detail/676357-2021>), including a description of the object of the procurement, dated 31 December 2021 (hereinafter referred to as *'contract award notice No. 676357-2021'*);
  - b. Three technical specifications describing the services required related to the procurement of the electric connections, including annex 2a for the common disposition of the internal electricity network (*hereinafter referred to as 'annex 2a'*), annex 2b on the network works for high-voltage/low-voltage (*hereinafter referred to as 'annex 2b'*), and annex 2c on the electrical installations and equipment as part of the construction of the Cap Janet distribution unit and seven quayside electrical connections (*hereinafter referred to as 'annex 2c'*);
  - c. A copy of the technical schematic plan of the electric connections on docks, including for adjacent docks 5 and 6, dock 7 and dock 11 including a table describing the characteristics of the ships that use the quayside connections (hereinafter referred to as *'technical schematic plan of the electric connections'*);
  - d. A copy of the commissioning test certificate for the connection on dock 5 (with electric charge and ship connected) of the electric connections, signed by the four parties, namely the port of Marseille (GPM), the ferry company *'Corsica linea'*, the electric company *'Shneider'* and the construction company *'Eifage'* and dated 26 January 2024 (hereinafter referred to as *'commissioning test certificate connection dock 5'*);
  - e. A copy of the administrative certificate for the instalment payment No. 48 *'Certificat administratif pour le paiement de l'acompte No. 48'* from the Port of Marseille for works carried out by 31 July 2023 (hereinafter referred to as *'administrative certificate for the instalment payment No. 48'*);

- f. A copy of the commissioning test certificate for the connection on dock 6 (without electric charge and without a ship connected), signed by two parties, namely the port of Marseille (GPMM) and the construction company 'Eiffage' and dated 29 February 2024 (hereinafter referred to as 'commissioning test certificate connection dock 6');
  - g. A copy of the commissioning test certificate for the connection on dock 7 (without electric charge and without a ship connected), signed by two parties, namely the port of Marseille (GPMM) and the construction company 'Eiffage' and dated 29 February 2024 (hereinafter referred to as 'commissioning test certificate connection dock 7');
  - h. A copy of the commissioning test certificate for the connection on dock 11 (without electric charge and without a ship connected), signed by two parties, namely the port of Marseille (GPMM) and the construction company 'Eiffage' and dated 29 February 2024 (hereinafter referred to as 'commissioning test certificate connection dock 11');
  - i. Page on the port of Marseille's website concerning the terminals for travellers: <https://www.marseille-port.fr/index.php/filieres/voyageurs>.
- iv. For the port of Bordeaux (four connections):
- a. A copy of the technical specifications of the procurement ('*Cahier des clauses techniques*') for lot A (high-voltage works), lot B (low-voltage works) and lot 3 (re-equipment and fitting of the area to connect electric connections on dock 429 ('*aménagement zone forme 3 – P429*')) (hereinafter referred to as 'the technical specifications of the procurement');
  - b. A copy of the letter of notification of the award of the contract ('*lettre de notification du marché*') together with the letter of commitment of the award of contract ('*lettre d'engagement du marché*') and the correlated technical specifications ('*article 3 – clauses techniques – condition d'exécution*') signed by the service provider 'Santerne' and the port of Bordeaux on 8 October 2021 and 20 October 2021;
  - c. A copy of the service order ('*ordre de service*') together with the copy of the certificate of end of works for the high voltage works ('*process verbal de reception des travaux*') attesting the closing of the works with reservations signed by the service provider 'Santerne' and the port of Bordeaux on 7 December 2022;
  - d. A copy of the service order ('*ordre de service*') together with the copy of the certificate removing the reservations ('*procès-verbal de levée de réserves*') relative to the end of work certificate of evidence iv.c signed by the service provider 'Santerne' and the port of Bordeaux on 27 February 2023;
  - e. A copy of the service order ('*ordre de service*') together with the certificate of end of works with reservations ('*process verbal de reception des travaux*') for the lot 3 for the work to re-equip and fit the area 'forme 3' to connect the electric connections on dock 429 ('*aménagement zone forme 3 – P429*') signed by service provider 'SARL CAP TP' and the port of Bordeaux on 17 December 2021;
  - f. A copy of the service order ('*ordre de service*') together with the copy of the certificate removing the reservations ('*procès-verbal de levée de réserves*') relative to the end of work certificate of evidence iv.e. signed by the service provider 'SARL

CAP TP' and the port of Bordeaux on 30 January 2023;

- g. A copy of a press release of the 24 June 2020 on the docking of the cruise ship 'Le Bougainville' owned by the company PONANT at the port of Bordeaux in the 'forme 3 de radoub' at the Bassens terminal;
  - h. Link to the naval constructor MEYER WERFT ([https://www.meyerwerft.de/en/ships/viking\\_longships\\_by\\_meyer\\_werft.jsp](https://www.meyerwerft.de/en/ships/viking_longships_by_meyer_werft.jsp));
  - i. A copy of the commercial brochure of the 'PowerPortBox';
  - j. A copy of the operating manual of the 'PowerPortBox';
  - k. Explanatory document on the use of the PowerPortBox;
  - l. Publicly available press release published on 6 February 2018 on the port of Bordeaux's website concerning the 'PowerPortBox' (<https://www.bordeaux-port.fr/fr/article/bordeaux-port-atlantique-lance-sa-powerport-box>);
  - m. A copy of the management board decision No. 2021-77 ('*Décision du directoire*') from session carried out on 9 November 2021 concerning the works for the harbour dock electric connections signed by the president of the board ('*Président du directoire*') and the administrative and financial director (hereinafter referred to as 'management board decision No. 2021-77');
  - n. List of the type of boats which can dock at the Bassens terminal.
- v. For the port of Nantes (six connections at Saint-Nazaire):
- a. A copy of the report from the management board '*Directoire*' of the port of Nantes for the period 26 May 2021 to 14 September 2021 for the session of the supervisory council '*Conseil de Surveillance*' on 24 September 2021;
  - b. A copy of the extract of accounting ledger '*extrait du plan comptable général*' with the date of execution of the works of 14 February 2022 for the electrification of the Donges and Saint-Nazaires docks (hereinafter referred to as 'extract of accounting ledger');
  - c. A copy of the signed management board decision of deliberation No. 2021-180 approved by the management board on the installation of electric infrastructure for the Donges and Saint-Nazaire dock in order to reduce the emissions and noise from docking ships, dated 1 July 2021 (hereinafter referred to as 'management board decision of deliberation No. 2021-180');
  - d. A copy of the electricity plan of the Darses and Charbonniers dock (at the Nantes Saint-Nazaire terminal) produced by the company 'Eiffage' dated 13 December 2021 (showing among others the 'coffret PC 1, 4, 5, 7, 9 and 12' on the adjacent Charbonniers and Darses docks) (hereinafter referred to as 'electricity plan of the Darses and Charbonniers docks by the company Eiffage');
  - e. A copy of the tender document for the award of contract ('*act d'engagement du marché*') between the port of Nantes and the company 'Eiffage' signed and dated 25 June 2021 and 17 August 2021, concerning the electric works and installation of the electric connections 'coffret de prises' by the company 'Eiffage' (hereinafter referred to as 'port of Nantes tender document with the company Eiffage');
  - f. A copy of the grant decision on the electrification of docks of the Nantes Saint-Nazaire port, in particular of the western docks of the Penhoet basin at the terminal

of Saint-Nazaire signed by the minister of transport and the minister of the sea on 5 August 2021 (hereinafter referred to as 'grant decision on the electrification of docks of the Nantes Saint-Nazaire port');

- g. A copy of the report No. 94820/23/777 from the company 'Socotec' certifying the conformity of the electric installations, in line with the legal obligations of the labour code article R. 4226-14 (hereinafter referred to as 'Socotec report No. 94820/23/777'), including among other the electric connections 'coffret prise de courant – coffret PC' No. 4, 7, 9 and 12 (hereinafter referred to as 'PC4, PC7, PC9 and PC12') dated 23 January 2023;
- h. A copy of the report No. 950S0/23/3547 from the company 'Socotec' certifying the conformity of the electric installations, in line with the legal obligations of the labour code article R. 4226-14 (hereinafter referred to as 'Socotec report No. 950S0/23/3547'), including among other the electric connections 'coffret prise de courant – coffret PC' No. 1 and 5 (hereinafter referred to as 'PC1 and PC5') dated 24 July 2023;
- i. A copy of the extraction from the harbour master's office of the port of Nantes Saint-Nazaire of the ship logs on dock positions 'poste Charbonniers 1', 'poste Charbonniers 2', 'poste des Darses 3', and 'poste des Darses 4', including among others the name of the ship, the type of ship, the docking location, the length of the ship, and the berthing and unberthing time and date (hereinafter referred to as 'extraction from the harbour master's office of the port of Nantes Saint-Nazaire's ship logs');
- j. A copy of the catalogue of the naval constructor 'Merré' with the technical specification of different ships of which passenger ships, including ships that dock at the port of Nantes Saint-Nazaire. Also publicly available at the link: <https://merre.fr/catalogue-merre.pdf>;
- k. A copy of the invoice ('*bon de facturation*') No. BUSN-TSN 1-24 from the port of Nantes Saint-Nazaire to the client Lhyfe for the connection to PC5 of the floating platform Wavegem dated 12 January 2024 (hereinafter referred to as 'invoice for electricity provision from PC5 to a floating platform');
- l. A copy of the quote No. 2024-BUSN-DS/TSN-15A emitted by the port of Nantes Saint-Nazaire for the company 'GENAVI' dated 11 March 2023 for the provision of an electric connection on the dock of Charbonniers at the terminal of Saint-Nazaire to the ship 'Côtes de la Manche' from 29 February to 1 March 2024 (hereinafter referred to as 'quote for electricity provision on Charbonniers dock to a ship');
- m. A copy of the purchase order form ('*bon de commande*') No. 6600D emitted by the company 'GENVIR' for the services of the port of Nantes Saint-Nazaire signed and dated 29 February 2024 for the provision of an electric connection on the dock of Charbonniers at the terminal of Saint-Nazaire to the ship 'Côtes de la Manche' from 29 February to 1 March 2024 (hereinafter referred to as 'purchase order for electricity provision on Charbonniers dock to a ship');
- n. A copy of the work order ('*bon de travail et fourniture*') signed and dated 29 February 2024 by the port of Nantes Saint-Nazaire for the provision of electricity from PC12 on the Charbonniers dock to the ship 'Côtes de la Manche' from 29 February to 6 March 2024 (hereinafter referred to as 'work order for electricity

provision from PC12 on Charbonniers dock to a ship’).

**Analysis:**

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

**Finalisation of installation of new electricity connections on harbour docks, such as on Havre-Rouen-Paris dock network, Marseille harbour or Pointe des Grives dock in Martinique harbour.**

**Furthermore, in line with the description of the measure, it shall finance the installation of nine new electric connections to offer alternative fuel on harbour docks to cruise ships, passenger ships and container ships by the end of 2023, in locations such as the Havre-Rouen-Paris dock network, the docks in Marseille or the Pointe des Grives dock in Martinique.**

The French authorities provided a list of three harbours in which a total of 14 electric connections for ships were installed (evidence ii). These harbours included the port of Marseille (at the CAP JANET terminal) with four electric connections, the port of Bordeaux with four electric connections (at the Bassens terminal) and the port of Nantes Saint-Nazaire with six electric connections at the Saint-Nazaire terminal.

For the port of Marseille, the evidence provided by the French authorities, which includes the contract award notice No. 676357-2021 (evidence iii. a) and the technical specifications annex 2c (evidence iii. b.) related to the contract confirmed, as part of the object of the works, that the contract concerned the installation of electric connections on docks at the port of Marseille (page 8 of annex 2c). In particular, the description of the works in the technical specifications annex 2c refers to, among others, works to install the electric connections (*‘potence’*) numbered *‘poste 5’* *‘poste 6’* *‘poste 7’* and *‘poste 11’* (page 8 of evidence iii.b. annex 2c). In addition, the administrative certificate for the instalment payment No. 48 demonstrated that as of 31 July 2023 the connections 5 and 6 were 100 percent installed (and provided for the corresponding sum to be paid) and that connections 7B and 11 were 90 percent installed (page 9 of evidence iii.e.). Furthermore, the French authorities provided the four commissioning test certificates (evidence iii. d. f. g. h.) for the electric connections on docks 5, 6, 7, and 11 (with electric charge and a ship connected on dock 5 dated 26 January 2024, and without electric charge and without a ship connected on the electric connections on docks 6, 7 and 11 dated 29 February 2024 respectively) confirming that the electric connections have been installed. The Council Implementing Decision required the installation by the end of 2023. The port of Marseille tested the electric connections, demonstrating the installation, in January and February 2024. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay is considered limited, notably since the tests take place after actual installation and the tests were carried out during the evaluation period of the payment request. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

Furthermore, for the Marseille harbour, the evidence provided by France, which includes the technical schematic plan of the electrical connections (evidence iii.c.), including for docks 5, 6, 7 and 11 confirmed that the ships connecting to the electric connections are ferry type passenger ships

since the ship companies indicated in the table in the technical schematic plan are ferry companies. Furthermore, the evidence is also in line with the information published on the port of Marseille's website on the page concerning the terminals for travellers (evidence iii.i), confirming that CAP JANET is used for passenger ships and RoRo ships (roll-on/roll-off ferries).

For the Bordeaux harbour, the evidence provided by France, which includes the signed management board decision No. 2021-77 (page 2 of evidence iv.m.) concerning the works for the harbour dock electric connections and the technical specifications of the procurement (pages 3 to 4 of evidence iv.a.) confirmed that the contract concerned the installation of four electric connections on the 'forme de radoub No. 3' on dock 429 'P429'. The certificate of end of works for the high voltage works (evidence iv.c.) together with the certificate of end of works for the works to fit the area 'forme 3 - P429' (evidence iv.e.) and the two certificates removing the reservations (evidence d. and evidence f) confirmed the end of works and therefore the installation of the four electric connections (see evidence iv c to f). The certificates of end of works and the certificates removing the reservations indicated the relevant phase of the works and referenced the area 'Forme de Radoub n°3 - zone P429' (pages 1, 2, 5 and 6 in evidence iv.e. and 1, 2 and 5 in evidence iv.f.). The certificate removing the reservations for the end of works fitting the area 'forme 3 - P429', which is the last phase of the works, was signed and dated 30 January 2023, confirming the installation by the end of 2023.

Furthermore, for the port of Bordeaux, the technical specifications of the procurement confirmed that two of the four electric connections are for river cruise ships called 'longships' (*'paquebots fluviaux appelés "longship"'*) and that the other two units are a type of electric connection called 'PC NAV' (page 4 of evidence iv.a.). The French authorities provided examples of a 'longship', namely the 'Viking longships' constructed by the Meyer Werft company, confirming that these are river cruise ships (evidence iv.h.), as well as a press release of the docking of the cruise ship 'Le Bougainville' owned by the company PONANT at the port of Bordeaux in the 'forme 3 de radoub' at the Bassens terminal (evidence iv.g). In addition, the evidence provided by the French authorities, which includes a commercial brochure of the 'PowerPortBox' (evidence iv.i.), the operating manual of the 'PowerPortBox' (evidence iv.j.) and an explanatory note on the use of the PowerPortBox (evidence iv. k), confirmed that the two electric connections 'PC NAV' together with the 'PowerPortBox' can connect to different types of ships including passenger ships. The 'PowerPortBox' is a type of portable adapter to modulate the power needs for different types of ships which is commercialised by the port of Bordeaux. The publicly available press release concerning the launch of the 'PowerPortBox' confirmed that it has been used for a river cruise ship (page 1 of evidence iv.l).

For the port of Nantes Saint-Nazaire, the French authorities provided evidence for six electric connections at the Saint-Nazaire terminal. The evidence provided by the French authorities, which includes the report from the management board 'Directoire' for the period 26 May 2021 to 14 September 2021 (page 1 and 25 of evidence v. a) together with the signed management board decision of deliberation No. 2021-180 (evidence v. c.) confirmed the decision to install electric infrastructure for the Donges and Saint-Nazaire docks in order to reduce the emissions and noise from docking ships. In addition, the grant decision on the electrification of docks of the Nantes Saint-Nazaire port confirmed an investment in the electrification of the western docks of the Penhoet Basin (Article 2 page 2 of evidence v. f.) for electric connections for cranes and ships

(Article 1 page 2 of evidence v. f.). In addition, the port of Nantes tender document with the company Eiffage (evidence v. e) and the electricity plan of the Darses and Charbonniers docks by the company 'Eiffage' (evidence v. d.) confirmed that the Eiffage works concerned among others six electric connections on the adjacent Darses and Charbonniers docks. As can be seen on publicly available maps the western dock of the Penhoet basin is the Charbonniers dock. Furthermore, the evidence provided by the French authorities, which includes the extract of the accounting ledger (evidence v. b.) with the date of the execution of the works of 14 February 2022 for the electrification of the Donges and Saint-Nazaires terminals, the Socotec report No. 94820/23/777 (evidence v. g.) and the Socotec report No. 950S0/23/3547 (evidence v. h) certifying the conformity of the electric installations of PC1, PC4, PC5, PC7, PC9 and PC12, confirmed the conformity and the installation of the six electric connections. The six electric connections PC1, PC4, PC5, PC7, PC9 and PC12 are also indicated on the electricity plan of the Darses and Charbonniers docks by the company 'Eiffage' (evidence v. d.), dated 31 December 2021, as being located on the adjacent Darses and Charbonniers docks. Moreover, the Socotec report No. 950S0/23/3547 (page 24 of evidence v. h) and the electricity plan of the Darses and Charbonniers docks by the company 'Eiffage' (evidence v. d.) indicated that PC1 and PC5 were used by cranes; therefore, the French authorities explained that all the connections are compatible for use both by cranes and ships and provided two examples of actual electricity provisions for ships. The evidence provided by the French authorities, which includes an invoice for electricity provision from PC5 to a floating platform (evidence v. k), a quote for electricity provision on the Charbonniers dock to a ship (evidence v. l.), a purchase order for electricity provision on the Charbonniers dock to a ship (evidence v. m.), a work order for electricity provision from PC12 on Charbonniers dock to a ship (evidence v. n.), confirmed that the connections are compatible with and used by ships.

Furthermore, for the port of Nantes Saint-Nazaire, for the Saint-Nazaire terminal, the evidence provided by the French authorities, which includes the electricity plan of the Darses and Charbonniers docks by the company 'Eiffage' (evidence v. d), and the extraction from the harbour master's office of the port of Nantes Saint-Nazaire's ship logs (evidence v.i.) including among others the name of the ship, the type of ship, the docking location, the length of the ship, and the berthing and unberthing time and date confirmed that, among others, passenger ships docked on the Charbonniers dock. In addition, the evidence provided, which includes the Socotec report No. 94820/23/777 (evidence v. g.) and the Socotec report No. 950S0/23/3547 (evidence v. h) with technical specifications of the electric connections, showing that each electric connection is of 400A ( page 5 of evidence v. g. and page 23 and 25 of evidence v. h respectively), and the catalogue of the naval constructor 'Merré' with the technical specification of different ships (evidence v. j), of which passenger ships, confirmed that the electric connections installed are compatible with different types of ships, among which passenger ships such as the Bac Pax SEEM 30-1060AL ship (page 47).

The Council Implementing Decision required that nine new electric connections offer alternative fuel on harbour docks to cruise ships, passenger ships and container ships. The French authorities provided satisfactory evidence for 14 new electric connections that offer alternative fuel on harbour docks to cruise ships and passenger ships, but not to container ships. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, investing more in connections for cruise ships and passenger ships neither changes the nature of the measure nor affects the progress towards the achievement of the policy objective of the investment that the target represents due to them equally supporting alternative fuel and cleaner



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

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 3-32	Related Measure: C3.I7 Strengthening the resilience of electricity grids	
<b>Name of the Milestone:</b> Beginning of projects		
<b>Qualitative Indicator:</b> Report evidencing the beginning of projects		<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>This measure aims at increasing the resilience of the electricity networks, with a focus on rural areas. The measure shall increase the quality of the electricity distribution system, in regions where renewables are mostly being developed and electric mobility is a key challenge.</p> <p>Milestone 3-32 requires the beginning of projects across several sub-programmes, ‘energy transition’ and ‘development of innovative solutions’, ‘climate incident’ and the financing of the renewal of old electric cables and installation.</p> <p>Milestone 3-32 is the only milestone of this investment.</p>		
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>i. A summary document duly justifying how the milestone was satisfactorily fulfilled, with appropriate links to the underlying evidence.</li> <li>ii. A list of projects, which specifies for each of them: a description of the project (column F and H), the sub-program it is part of (column G) and its status (column I).</li> </ol> <p>The authorities also provided:</p> <ol style="list-style-type: none"> <li>iii. Copy of Order of 13 April 2021 taken pursuant to Decree No. 2020-1561 of 10 December 2020 relating to aid for rural electrification (hereinafter referred to as ‘Order of 13 April 2021’).</li> <li>iv. Copy of Order of 17 April 2021 establishing selection criteria for projects likely to benefit from funding under the measure ‘Improving the resilience of electricity networks and energy transition in rural areas’ of the ‘Recovery Plan’ mission created by law No. 2020-1721 of 29 December 2020 of finances for 2021 (hereinafter referred to as ‘Order of 17 April 2021’).</li> <li>v. Copy of Decree No. 2020-1561 of 10 December 2020 relating to aid for rural electrification (hereinafter referred to as ‘Decree No. 2020-1561’).</li> </ol>		

- vi. A list of the authorities organising the public distribution of electricity, which specifies for each of them: the name (column B), SIRET number (column C) and, contact details (columns F to J).
- vii. For eight example projects, a signed decision awarding a grant for the financing of aid to territorial authorities for rural electrification (hereinafter referred to as 'grant decision').
- viii. For eight example projects, a signed payment decision for the financing of aid to territorial authorities for rural electrification as part of the State's recovery plan (hereinafter referred to as 'payment decision').
- ix. A copy of the annex to the draft finance law for 2023 'financing of assistance to communities for rural electrification' (hereinafter referred to as 'annex to the draft finance law')

**Analysis:**

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

**Beginning of the projects on the electricity grids in rural areas.**

France provided a list of 123 projects on the electricity grids in rural areas that had begun (see evidence ii). France provided two types of documents for eight example projects: grant decisions (see evidence vii) and payment decisions referring to the grant decision for the project and setting the payment either of a deposit or of the balance (see evidence viii). According to Article 2 of the grant decisions: i) a provision is paid when projects began legally or materially; ii) deposits are paid after the start of the work according to the progress of the work; iii) the balance is paid upon presentation of a work completion report. According to Article 2 of the grant decision, the payment is demonstrating the beginning of the projects. The link between the two decisions could be verified via the project number (FACE number), the rural electrification sub-programme and the name of the beneficiary.

**Furthermore, in line with the description of the measure, the measure shall increase the quality of the electricity distribution system, in regions where renewables are mostly being developed and electric mobility is a key challenge.**

Decree No. 2020-1561 (see evidence v) and, Order of 13 April 2021 (see evidence iii) focus on enhancing the quality of the electricity distribution system in rural areas. Article 13 of the Order of 13 April 2021 (see evidence iv) demonstrates an increase in the quality of the electricity distribution system by establishing an energy transition sub-program that is supporting the installation of storage devices intended to improve the quality of electricity supply. Article 8 of Order of 13 April 2021 (see evidence iii) demonstrates an increase in the quality of the electricity distribution system by establishing the innovative solutions sub-programmes which aims at improving the quality of service of electricity distribution networks.

The Council Implementing Decision states that the measure shall increase the quality of the electricity distribution system, in regions where renewables are mostly being developed and electric mobility is a key challenge. The French Recovery and Resilience Plan (page 243) provides contextual information showing that rural areas are regions where renewables are mostly being developed and electric mobility is a key challenge. As stated in the above paragraph, France demonstrated that the measure is enhancing the quality of the electricity distribution system in rural areas. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Furthermore, in line with the description of the measure, the beneficiaries of the measure shall be the authorities organising the public distribution of electricity.**

Article 1 of the Order of 17 April 2021 (see evidence iv) specifies that the subsidies provided for by the measure 'Improving the resilience of electricity networks and energy transition in rural areas' of the 'Recovery Plan' mission created by the finances law for 2021 benefit to the authorities organising the public distribution of electricity for work or operations carried out in the territory of rural municipalities eligible for aid for rural electrification.

**Furthermore, in line with the description of the measure, the investment shall increase the budget line of the finance act (*loi de finances*) dedicated to rural electrification.**

The annex to the draft finance law (see evidence ix, page 8) indicates that the recovery plan of programme 362 (i.e. ecology) increased the resources allocated to financing aid to communities for rural electrification up to the level of €50 million spread over 2021 and 2022.

**Furthermore, in line with the description of the measure, the measure shall finance different sub-programmes by 2023. The first sub-programme for 'energy transition' and 'development of innovative solutions' shall finance the energy transition in the rural areas by fostering renewables integration to the network, building storage facilities and electric charging infrastructure. It shall also accelerate the deployment of smart meters. The second sub-programme 'climate incident' shall finance the repair works for parts of the electric network damaged by extreme weather. The remaining investment shall be allocated to renewal of old electric cables and installations and increase network safety, currently lacking in rural areas.**

The requirements of the sub-programmes are evidenced by the legal framework:

- Article 13 of the Order of 13 April 2021 (see evidence iii) demonstrates the financing of the energy transition in the rural areas by fostering renewables integration to the network, building storage facilities and electric charging infrastructure. It establishes an energy transition sub-programme that aims at financing work or operations carried out in the territory of rural municipalities and aimed at participating in the development of renewable energies or the electrification of uses. This sub-programme can notably help: i) the installation of storage devices intended to improve the quality of electricity supply; ii) the deployment of charging infrastructure for electric vehicles in poorly equipped areas; iii) the connection of

low power renewable electricity production installations as long as they are of particular interest for the territory or of an innovative nature. The annex to the draft finance law (see evidence ix) demonstrated that the sub-programme supports the installation of smart power management devices which includes smart meters.

- Article 14 of the Order of 13 April 2021 (see evidence iii) establishes an innovative solutions sub-program. The 'development of innovative solutions enabling more efficient management of the electricity network' sub-program aims to finance operations aimed at improving the quality of service of electricity distribution networks or reducing greenhouse gas emissions, presenting an innovative character, and developed in partnership with the distribution network operator(s) concerned.
- Article 14 of the Order of 13 April 2021 (see evidence iii) establishes a climate incident sub-program. The 'anticipated reinforcement of network departures damaged by bad weather' sub-program aims to assist in the anticipated reinforcement of network departures damaged by atmospheric phenomena of exceptional magnitude in view of their impact on the network. The aid from this sub-program may also be aimed at burying these outlets if this operation is likely to reduce the risk of destruction in the event of subsequent bad weather.
- Article 6 of the Order of 13 April 2021 (see evidence iii) demonstrates the allocation of an investment to renew old electric cables and installations and to increase network safety. It establishes an aid from the network security sub-program aiming to reduce low-voltage feeders with bare wires.

Furthermore, grant decisions and payment decisions (see evidence vii and viii) demonstrate that the measure financed at least one project under each sub-programme by 2023.

**The Council Implementing Decision required, in line with the qualitative indicator for the milestone, a report evidencing the beginning of projects.**

The French authorities instead of a separate report, submitted the pieces of evidence listed above that prove the beginning of projects. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the evidence provided corroborates the fulfilment of the milestone. As of this, this minimal deviation does not affect 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.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 4-4	Related Measure: C4.I1 Innovate for the green transition
<b>Name of the Milestone:</b> Award of the contracts - implementing decision of the Prime Minister	
<b>Qualitative Indicator:</b> Report from the 'Secrétariat Général	<b>Time:</b> Q4 2023

pour l'Investissement' (SGPI)

**Context:**

The objective of this investment is to accelerate investment in advanced technologies for the green transition as part of the fourth future-oriented investment programme (Programme d'Investissements d'Avenir - PIA4).

Milestone 4-4 requires the award of the contracts – implementing decisions of the Prime Minister following the close of the calls for proposals/interest launched under milestone 4-3, allowing contractualisation with beneficiaries.

Milestone 4-4 is the third and last milestone of the investment, and it follows the completion of milestone 4-2, related to the number of 'acceleration strategies' validated and milestone 4-3, related to the launch of calls for proposals/interest.

The investment has a final expected date for implementation in Q4 2023.

**Evidence provided:**

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

- i. A summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.
- ii. A list of the projects benefiting from the support. The list under tab 2 provides the name of the project (column G), the name of the company (column H), the location (column J), the related call for projects/interest (column D), the reference of the implementing decision of the prime minister (column C), a confirmation that the project does not include activities excluded in the description of the measure in the Council Implementing Decision (column P). Tab 1 provides a list of the calls for proposals/interest (column E) and a link to the call on the webpage of the French Agency for Ecological Transition (*'Agence de la transition Écologique – ADEME'*) and to the official journal (columns F and G).
- iii. A copy of the Prime Minister's Order of 18 March 2024 on the closure of calls for projects *'Solutions innovantes pour l'amélioration de la recyclabilité, le recyclage et la réincorporation des matériaux'* and *'Briques technologiques et démonstrateurs hydrogène'*, published in the Official Journal on 19 March 2024.
- iv. Copies of implementing decisions of the prime minister allowing contractualisation of the projects selected under the calls launched under milestone 4-3.
- v. For 71 example projects, one or more documents providing a description of the project and its activities. These documents are contracts; and/or applications for support from the beneficiary of the support; and/or technical annexes to the contract.
- vi. For 71 example projects, documents confirming the selection by the interministerial steering committee, such as reports from the committee, laureates' lists, press releases or formal email confirming the selection to the beneficiary.

**Analysis:**

The justification and substantiating evidence provided by the French authorities covers all

constitutive elements of the milestone.

**Implementing decision of the Prime Minister following the close of the calls for proposals/calls for interest launched under milestone 4-3; allowing contractualisation with the beneficiaries through agreements or other contracts for granting funds to be signed.**

The evidence provided by the French authorities – list of calls for projects/interest and Decisions of the Prime Minister which state under which call for projects/interest the listed projects are supported – confirmed that all projects listed in the Implementing Decisions of the Prime Minister provided (evidence iv) were selected under the 17 calls for proposals/interest launched under milestone 4-3 (positively assessed under the second payment request submitted by France). The calls for projects/interest were closed as confirmed in the links to the calls on the ADEME website provided by France (evidence ii) and under Article 1 of the Prime Minister’s Order of 18 March 2024 on the closure of calls for projects ‘*Solutions innovantes pour l’amélioration de la recyclabilité, le recyclage et la réincorporation des matériaux*’ and ‘*Briques technologiques et démonstrateurs hydrogène*’, published in the Official Journal on 19 March 2024 (evidence iii).

The Council Implementing Decision required the ‘*Implementing decisions of the Prime Minister following the close of the calls for proposals/calls for interest launched under milestone 4-3; allowing contractualisation with the beneficiaries through agreements or other contracts for granting funds to be signed*’. The French authorities provided copies of 95 decisions of the Prime Minister covering 600 of the 610 projects selected under the 17 calls for projects/interest launched under milestone 4-3. The remaining 10 projects have been selected but are still under instruction as evidenced by the interministerial steering committee reports for nine projects and by the copy of an email confirming selection to the recipient of the support for one project (evidence vi). The Prime Minister decisions are the next step which is the administrative step of the selection process confirming the allocation of funding, where the process is as follows:

1. Following the submission of projects by beneficiaries in response to the calls, a first selection of projects is done by an interministerial steering committee based on all the criteria in the terms of reference.
2. The selected projects are then further assessed through an in-depth instruction by the operators and concludes with a proposal for financing.
3. The proposal is then formally approved through the Prime Minister decision confirming the allocation of funding to the projects, which is initially based on the recommendation from the selection committee.

Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, more than 98% of selected projects have reached the relevant stage of the process. For the remaining 10 projects, the explanations provided by France confirm that while some of the 10 projects may not be retained at the end of the in-depth instruction (step 2 above), the outcome of the process – which has already started with the initial selection carried out (step 1 above) – will be the signature of one or more Prime Minister decisions, for the projects approved for financing. France provided evidence of the initial selection of the 10 projects by the interministerial steering committee (evidence vi) which confirm that the projects are selected and therefore that, should their in-depth instruction be successful, a Prime Minister decision will be

issued. 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.

The analysis of the evidence provided confirmed that the remaining 600 projects were selected following the close of the 17 calls for projects/interest under milestone 4-3 and were subsequently included in an Implementing Decision of the Prime Minister, allowing contractualization with the beneficiaries through agreements or other contracts for granting funds to be signed, as follows:

Call for projects/interest	Date of closure (evidence ii and v)	Prime Minister Decision(s), date and number of projects selected (evidence iii)
Développement de briques technologiques et démonstrateurs - Réalisations de premières industrielles associant l'offre et la demande (DEMIBaC)	16 October 2023	<ul style="list-style-type: none"> <li>Decision No. 2023-DEM-PIA4-90 of 7 August 2023 – 12 projects selected</li> <li>Decision No. 2024-DEM-09 of 8 February 2024 – one project selected</li> </ul>
Développement de briques technologiques et services par des PME pour la décarbonation de l'industrie (IBaC PME)	16 October 2023	<ul style="list-style-type: none"> <li>Decision No. 2022-DEM-PIA4-75 of 3 November 2022 – six projects selected</li> <li>Decision No. 2023-DEM-PIA4-71 of 12 July 2023 – two projects selected</li> <li>Decision No. 2024-DEM-PIA4-01 of 8 January 2024 – two projects selected</li> </ul>
Maturation et Accompagnement Zones Industrielles Bas Carbone (ZIBaC)	15 May 2023	<ul style="list-style-type: none"> <li>Decision No. 2022-DEPL-PIA4-35 of 30 January 2023 – two projects selected</li> <li>Decision No. 2023-DEPL-PIA4-51 of 24 July 2023 – two projects selected</li> <li>Decision No. 2023-DEPL-PIA4-93 of 5 December 2023 – five projects selected</li> <li>Decision No. 2024-DEPL-020528 of 9 February 2024 – two projects selected</li> </ul>
Digitalisation et décarbonation du transport ferroviaire	30 November 2021	<ul style="list-style-type: none"> <li>Decision No. 2022-DEM-PIA4-29 of 16 June 2022 – 21 projects selected</li> <li>Decision No. 2022-DEM-PIA4-30 of 15 June 2022 – one project selected</li> <li>Decision No. 2022-DEM-PIA4-36 of 27 July 2022 – 12 projects selected</li> <li>Decision No. 2022-DEM-PIA4-41 of 22 July 2022 – three projects selected</li> <li>Decision No. 2022-DEM-PIA4-53 of 27</li> </ul>

		<p>July 2022 – 11 projects selected</p> <ul style="list-style-type: none"> <li>Decision No. 2023-DEM-PIA4-27 of 3 April 2023 – six projects selected</li> </ul>
Logistique 4.0	15 May 2022	<ul style="list-style-type: none"> <li>Decision No. 2022-DEM-PIA4-74 of 27 October 2022 – 14 projects selected</li> <li>Decision No. 2023-DEM-PIA4-31 of 4 May 2023 – 14 projects selected</li> <li>Decision No. 2023-DEM-PIA4-55 of 23 June 2023 – 37 projects selected</li> <li>Decision No. 2023-DEM-PIA4-83 of 21 July 2023 – three projects selected</li> </ul>
Briques technologiques et démonstrateurs hydrogène	19 March 2024	<ul style="list-style-type: none"> <li>Decision No. 2023-DEM-PIA4-137 of 20 December 2023 – one project selected</li> <li>Decision No. 2023-DTIGA-05 of 12 July 2023 – 10 projects selected</li> <li>Decision No. 2024-DEM-0130109 of 9 February 2024 – 18 projects selected</li> </ul>
Développement d'une filière de production française de carburants aéronautiques durables	29 September 2022	<ul style="list-style-type: none"> <li>Decision No. 2022-DEM-PIA4-45 of 22 July 2022 – two projects selected</li> <li>Decision No. 2023-DEM-PIA4-01 of 19 January 2023 – one project selected</li> <li>Decision No. 2022-DEPL-01 of 26 January 2022 – one project selected</li> <li>Decision No. 2022-DEPL-02 of 25 January 2022 – three projects selected</li> <li>Decision No. 2022-DEPL-03 of 22 March 2022 – five projects selected</li> </ul>
Produits biosourcés et biotechnologies industrielles	15 January 2024	<ul style="list-style-type: none"> <li>Decision No. 20213-DEM-PIA4-112352 of 18 December 2023 – four projects selected</li> <li>Decision No. 2022-DEM-PIA4-86 of 5 December 2022 – four projects selected</li> <li>Decision No. 2023-DEM-PIA4-122037 of 8 January 2024 – 10 projects selected</li> <li>Decision No. 2023-DEM-PIA4-16 of 9 March 2023 – eight projects selected</li> <li>Decision No. 2023-DEM-PIA4-24 of 5 April 2023 – one project selected</li> <li>Decision No. 2023-DEM-PIA4-61 of 20 June 2023 – two projects selected</li> <li>Decision No. 2023-DEM-PIA4-80 of 18 July 2023 – three projects selected</li> </ul>



		<ul style="list-style-type: none"> <li>Decision No. 2024-DEM-013080 of 13 March 2024 – three projects selected</li> </ul>
Solutions innovantes pour l'amélioration de la recyclabilité, le recyclage et la réincorporation des matériaux	19 March 2024	<ul style="list-style-type: none"> <li>Decision No. 2022-DEM-PIA4-46 of 22 July 2022 – two projects selected</li> <li>Decision No. 2022-DEM-PIA4-60 of 21 September 2022 – one project selected</li> <li>Decision No. 2022-DEM-PIA4-76 of 2 December 2022 – five projects selected</li> <li>Decision No. 2022-DEM-PIA4-89 of 7 December 2022 – 11 projects selected</li> <li>Decision No. 2023-DEM-PIA4-05 of 19 January 2023 – two projects selected</li> <li>Decision No. 2023-DEM-FR30-126 of 21 November 2023 – six projects selected</li> <li>Decision No. 2023-DEM-PIA4-111 of 23 October 2023 – one project selected</li> <li>Decision No. 2023-DEM-PIA4-112 of 23 October 2023 – seven projects selected</li> <li>Decision No. 2023-DEM-PIA4-18 of 20 March 2023 – 14 projects selected</li> <li>Decision No. 2023-DEM-PIA4-66 of 28 June 2023 – seven projects selected</li> <li>Decision No. 2023-DEM-PIA4-84 of 21 July 2023 – four projects selected</li> <li>Decision No. 2024-DEM-011628 of 23 January 2024 – two projects selected</li> <li>Decision No. 2024-DEM-021996 of 8 March 2024 – five projects selected</li> <li>Decision No. 2024-DEM-022975 of 8 March 2024 – three projects selected</li> </ul>
Innover pour réussir la transition agroécologique	16 June 2022	<ul style="list-style-type: none"> <li>Decision No. 2022-DEM-PIA4-23 of 11 May 2022 – five projects selected</li> <li>Decision No. 2022-DEM-PIA4-55 of 21 September 2022 – two projects selected</li> <li>Decision No. 2022-DEM-PIA4-61 of 22 September 2022 – four projects selected</li> <li>Decision No. 2022-DEM-PIA4-71 of 12 October 2022 – four projects selected</li> <li>Decision No. 2022-DEM-PIA4-78 of 18 November 2022 – two projects selected</li> <li>Decision No. 2023-DEM-FR30-04 of 25 January 2023 – seven projects selected</li> <li>Decision No. 2023-DEM-FR30-08 of 16</li> </ul>

		<p>February 2023 – 22 projects selected</p> <ul style="list-style-type: none"> <li>Decision No. 2023-DEM-FR30-09 of 28 February 2023 – three projects selected</li> <li>Decision No. 2023-DEM-FR30-105 of 11 October 2023 – three projects selected</li> <li>Decision No. 2023-DEM-FR30-123 of 7 November 2023 – one project selected</li> <li>Decision No. 2023-DEM-FR30-140 of 9 January 2024 – three projects selected</li> <li>Decision No. 2023-DEM-FR30-26 of 6 April 2023 – two projects selected</li> <li>Decision No. 2023-DEM-FR30-42 of 19 May 2023 – one project selected</li> <li>Decision No. 2023-DEM-FR30-52 of 23 June 2023 – four projects selected</li> <li>Decision No. 2023-DEM-FR30-85 of 24 July 2023 – five projects selected</li> <li>Decision No. 2024-DEM-030713 of 12 March 2024 – 18 projects selected</li> <li>Decision No. 2024-DEM-031161 of 16 March 2024 – nine projects selected</li> <li>Decision No. 2024-DEM-031199 of 13 March 2024 – four projects selected</li> </ul>
Démonstrateurs territoriaux des transitions agricoles et alimentaires	28 September 2023	<ul style="list-style-type: none"> <li>Decision No. 2023-DEM-PIA4-125 of 14 November 2023 – seven projects selected</li> <li>Decision No. 2024-DEM-05 of 29 January 2024 – one project selected</li> </ul>
Financement des préséries d'innovations technologiques liées aux équipements agricoles	26 September 2023	<ul style="list-style-type: none"> <li>Decision No. 2022-DEM-PIA4-24 of 6 May 2022 – five projects selected</li> <li>Decision No. 2022-DEM-PIA4-72 of 12 October 2022 – four projects selected</li> <li>Decision No. 2023-DEM-PIA4-138 of 8 January 2024 – three projects selected</li> <li>Decision No. 2023-DEM-PIA4-15 of 9 March 2023 – 11 projects selected</li> <li>Decision No. 2023-DEM-PIA4-81 of 24 July 2023 – three projects selected</li> <li>Decision No. 2024-DEM-PIA4-011836 of 29 January 2024 – two projects selected</li> <li>Decision No. 2024-DEM-021514 of 27 February 2024 – one project selected</li> </ul>
Industrialisation de	15 May 2023	<ul style="list-style-type: none"> <li>Decision No. 2021-DEM-30 of 14</li> </ul>

Produits et Systèmes Constructifs bois et autres biosourcés		<p>December 2021 – 13 projects selected</p> <ul style="list-style-type: none"> <li>Decision No. 2022-DEPL-PIA4-15 of 15 July 2022 – 11 projects selected</li> <li>Decision No. 2022-DEPL-PIA4-23 of 30 September 2022 – one project selected</li> <li>Decision No. 2022-DEPL-PIA4-28 of 17 October 2022 – five projects selected</li> <li>Decision No. 2022-DEPL-PIA4-31 of 29 November 2022 – eight projects selected</li> <li>Decision No. 2023-DEPL-PIA4-20 of 6 April 2023 – one project selected</li> <li>Decision No. 2023-DEPL-PIA4-27 of 19 April 2023 – one project selected</li> <li>Decision No. 2023-DEPL-PIA4-41 of 11 July 2023 – nine projects selected</li> <li>Decision No. 2023-DEPL-PIA4-66 of 8 September 2023 – two projects selected</li> <li>Decision No. 2023-DEPL-PIA4-81 of 15 November 2023 – 26 projects selected</li> <li>Decision No. 2023-DEPL-PIA4-100 of 8 January 2024 – one project selected</li> </ul>
Territoires intelligents et durables	7 November 2022	<ul style="list-style-type: none"> <li>Decision No. 2023-DEM-PIA4-114 of 23 October 2023 – eight projects selected</li> </ul>
Mixité pour la Construction bas carbone	14 October 2022	<ul style="list-style-type: none"> <li>Decision No. 2023-DEM-PIA4-65 of 4 July 2023 – two projects selected</li> <li>Decision No. 2023-DEM-PIA4-75 of 11 July 2023 – three projects selected</li> <li>Decision No. 2022-DEM-PIA4-88 of 14 December 2022 – one project selected</li> </ul>
Soutien à l'innovation pour la construction	30 March 2023	<ul style="list-style-type: none"> <li>Decision No. 2023-DEM-PIA4-100 of 10 November 2023 – seven projects selected</li> <li>Decision No. 2023-DEM-PIA4-67 of 6 July 2023 – 40 projects selected</li> </ul>
Soutien à l'innovation dans les systèmes énergétiques et traitement de l'air du bâtiment	14 October 2022	<ul style="list-style-type: none"> <li>Decision No. 2022-DEM-PIA4-96 of 28 December 2022 – 12 projects selected</li> <li>Decision No. 2023-DEM-PIA4-48 of 24 May 2023 – 10 projects selected</li> </ul>

Furthermore, although the 'do no significant harm' provisions of the measure were assessed under the previous milestone of this measure in the second payment request of France, in line

with what the Commission had communicated at that time, the exclusion of various activities was confirmed when assessing this target. Specifically, the exclusion of (i) activities related to fossil fuels, including downstream use; (ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; (iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and (iv) activities where the long-term disposal of waste may cause harm to the environment, was checked.

The list of projects provided by France (evidence ii) details all the projects listed in the Prime Minister Decisions for the calls for projects/interest (evidence iii) as well as of the 10 projects still under instruction. It also confirms that they do not relate to activities excluded under the description of the measure in the Council Implementing Decision (column P).

For additional confirmation that the list accurately reflected exclusions, 60 example projects were extracted from the list of projects (evidence ii) provided by France. 11 projects which were added subsequently to the list (projects with no Prime Minister Decision and project Lamecol in evidence ii) were also systematically checked along with the 60 example projects. During the assessment, the French authorities identified that four of these projects were incorrectly listed in evidence ii as they related to a strategy not financed under the Resilience and Recovery Plan. The projects removed were not removed for non-compliance with the relevant criteria but because they were mistakenly included in the list. Therefore, no further example project was added.

The analysis of the evidence provided by France and describing the project and its planned activities for the remaining 67 example projects (evidence v) confirmed that none of these projects selected under the calls for projects/interest under milestone 4-4 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. As such, whilst these 'do no significant harm' provisions were already assessed under milestone 4-3 of the second French payment request, this additional check confirms that the selected projects comply with the necessary provisions of the Council Implementing Decision.

**The Council Implementing Decision required, in line with the qualitative indicator for the milestone, a report to be provided by the French Government providing evidence of completion.**

The French authorities did not submit nor publish a report providing evidence of completion of the actions envisaged under this milestone. Instead, they submitted other pieces of evidence listed above and deemed adequate to prove the completion of the milestone. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the evidence provided corroborates the completion of the actions required by the milestone. As of this, this minimal deviation does not affect 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.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 5-2</b>	Related Measure: C5.R2 Enterprise's contributions to economic, social and environmental transformations	
<b>Name of the Milestone:</b> Article 244 of Law n° 2020-1721 (loi de finances 2021)		
<b>Qualitative Indicator:</b> Publication on the website of the Ministry of Labour (sub-indicators)	<b>Time:</b> Q1 2023	
<p><b>Context:</b></p> <p>This reform concerns article 244 of the financing law for 2021 which was adopted to ensure that companies supported by the national plan 'France Relance' promote gender equality and engage in an ecological transition approach.</p> <p>Milestone 5-2 concerns the publication on the website of the Ministry of Labour – in line with the reporting obligations and conditions set by article 244 of the financing law for 2021 – of the results obtained (and if relevant the progress targets set) by supported companies for each of the sub-indicators making up the Professional Equality Index.</p> <p>Milestone 5-2 is the only milestone of this reform.</p>		
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>i. A summary document duly justifying how the milestone was satisfactorily fulfilled, with appropriate references to the underlying evidence, including the links to the results published: <ol style="list-style-type: none"> <li>a. on the official website of the Ministry of Labour for the Professional Equality Index: <a href="https://travail-emploi.gouv.fr/droit-du-travail/egalite-professionnelle-discrimination-et-harcelement/indexegapro">https://travail-emploi.gouv.fr/droit-du-travail/egalite-professionnelle-discrimination-et-harcelement/indexegapro</a></li> </ol> </li> <li>ii. A copy of the 2021 Budget Law No. 2020-1721 of 29 December 2020 published in the Official Journal of the French Republic (JOFR No. 0315 of 20 December 2020).</li> <li>iii. A copy of the law No. 2021-1774 of 24 December 2021 aimed at accelerating professional and economic equality published in the Official Journal of the French Republic (JOFR No. 0300 of 26 December 2021).</li> <li>iv. A copy of the Government Decree No. 2021-265 of 10 March 2021 concerning measures to eliminate pay gaps between women and men in the workplace taken pursuant to article 244 the 2021 Budget Law No. 2020-1721 of 29 December 2020 published in the Official Journal of the French Republic (JOFR No. 0060 of 11 March 2021).</li> <li>v. A copy of the Government Decree No. 2022-243 of 25 February 2022 concerning measures to eliminate pay gaps between women and men in the workplace taken pursuant to article 13 of the law No. 2021-1774 of 24 December 2021 aimed at accelerating professional and economic equality and article 244 of the 2021 Budget Law No. 2020-1721 of 29 December 2020 published in the Official Journal of the French Republic (JOFR No. 0048 of 26 February 2022).</li> <li>vi. A copy of article L1142-9 of the French Labour code, as modified by the law No. 2021-1774</li> </ol>		

- of 24 December 2021 aimed at accelerating professional and economic equality.
- vii. Excel table compiling the scores and – where relevant – progress targets of the companies with more than 50 employees that benefited from aid from France’s recovery plan for each of the sub-indicators making up the Professional Equality Index.

The authorities also provided:

- viii. Screenshots of the online platform set up by the Ministry of Labour to submit and publish the results obtained to the Professional Equality Index.
- ix. Extracts from information messages sent by the Ministry of Labour to companies regarding their reporting obligations with regard to the Professional Equality Index.
- x. Ministerial instruction of 7 September 2021 regarding gender equality in the workplace.
- xi. Control guidelines (version of July 2021) for labour inspectors regarding gender equality in the workplace.
- xii. Excel tool for calculating the Professional Equality Index.
- xiii. Template of formal notice send by the Ministry of Labour for failure to take corrective measures to ensure compliance with applicable reporting obligations under the Professional Equality Index.

**Analysis:**

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

**For companies with more than 50 employees that benefit from aid from France’s recovery plan, publication of the result obtained for each of the sub-indicators making up the Index, as well as, for companies whose overall score is below the threshold set by decree, the progress targets set for each of these sub-indicators.**

Section I-2° of Article 244 of the 2021 Budget Law No. 2020-1721 of 29 December 2020 (JOFR No. 0315 of 30 December 2020) provides that all the legal persons under private law with more than 50 employees that receive support under the budget programme ‘Recovery Plan’ have to publish the results for each of the indicators related to gender equality in the workplace laid down in article L.1142-8 of France’s Labour Code and that these results are made available on the website of the Ministry of Labour. Section I-3° of the aforementioned article also provides that these companies have to set and publish progress targets when these indicators are below a threshold set by decree, as well as the corrective and remedial measures laid down in Article L. 1142-9 of France’s Labour Code (evidence vi). These legal obligations were further specified by article 2 of the Government Decree No. 2021-265 of 10 March 2021 concerning measures to eliminate pay gaps between women and men in the workplace (JOFR No. 0060 of 11 March 2021) which sets this minimum threshold to 75 points out of a total score of 100.

As explained in the summary document and further evidenced by the screenshots of the Ministry of Labour’s information system submitted by the French authorities (see evidence x), the online declaration form that companies had to fill in when submitting their Index results required them to indicate whether they had benefited from any budget support by the French Recovery Plan (‘France

Relance') under the 2021 Budget Law (evidence ii). As specified by section III of article 244 of the 2021 Budget Law, failure to comply with these reporting obligations may lead to financial penalties for the companies concerned. On this basis, the Ministry of Labour published on its website (<https://travail-emploi.gouv.fr/droit-du-travail/egalite-professionnelle-discrimination-et-harcelement/indexegapro>) a dedicated excel file compiling the information (results and – where applicable – progress targets) made available by the companies concerned for each sub-indicators making up the Professional Equality Index, as evidenced by the extraction shared by the French authorities (see evidence vii.). In addition and as evidenced by the ministerial instruction of 7 September 2021 regarding gender equality in the work place and the 2021 control guidelines for labour inspectors regarding gender equality in the workplace, submitted by the French authorities (see evidence x, p. 5 and fiche 2 and xi., p. 5-12), the Ministry of Labour adopted specific control procedures on the reliability of the information received and the implementation of the corrective measures taken by targeting, in priority, companies that have not sent their Index and those with a score below 75 points. These corrective measures must be adequate and relevant, as they should allow the company to reach a score of at least 75 points. These corrective measures can be, for example, a campaign to promote employees of the disadvantaged gender (evidence x, p. 20).

Finally, in addition to the completion of this milestone, in line with the description of the measure in the Council Implementing Decision, the financing law for 2021 also covers the publication of a simplified greenhouse gas emission balance, and the strengthening of the corporate governance. These are further steps of the measure that are not linked to the milestones and targets in the Council Implementing Decision.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 6-1	Related Measure: C6.R1 Structural aspects of the Research Programming Law		
<b>Name of the Target:</b> Entry into force of decrees			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 60%	<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>The aim of measure is the implementation of structural aspects of the Research Programming Law (adopted in December 2020). The Law pursues three objectives: strengthening the funding and organisation of research; improving the attractiveness of scientific jobs and careers; and enhancing the interactions of research with the economy and society. In order to achieve these objectives, the Law's implementation – which entails the adoption of decrees shall focus on the following areas: (i) increasing the internal research and development expenditure of administrations and businesses; (ii) providing for an increase in the annual resources of the National Research Agency; (iii) strengthening the link between science and the economy.</p> <p>Target 6-1 requires that at least 60% of decrees entered into force.</p> <p>The target is the second target of the reform, and it follows the completion of target 6-2, related to the number of tenure track recruitments in 2021 and 2022, assessed in the second payment request. It will be followed by target 6-3, related to the increase in public research funding.</p>			

**Evidence Provided:**

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

- i. A summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex with appropriate links to the underlying evidence.
- ii. List of decrees published, with links to the publication in the Official Journal, date of entry into force, and a description, for each decree, of the areas covered in relation to the ones listed in the CID.

The authorities also provided:

- iii. A link to the legislative schedule of the Research Programming Law (Law No. 2020 – 1674 of 24 December 2020).
- iv. A copy of each decree as published in the Official Journal.

**Analysis:**

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

**At least 60% of decrees entered into force.**

The French authorities provided (evidence i) the link to the list of decrees to be adopted, pursuant to the Research Programming Law, which is published in the legislative file. It demonstrates that thirty-six provisions of the Research Programming Law require an implementing decree and that, twenty-eight decrees have been published in the Official Journal and entered into force, covering thirty-five provisions of the law that require a decree (some decrees cover several provisions). This means that 97% of the expected decrees have already been published and entered into force in Q4 2023.

**Furthermore, in line with the description of the measure, for each decree that entered into force, the French authorities explained the relevant areas covered by the decrees in relation to the ones listed in the CID** (evidence ii). Overall,

Nine decrees concern the attractiveness of scientific jobs and scientific careers,

Four decrees concern the interactions of research with the economy and society,

One decree concerns both the attractiveness of scientific jobs and scientific careers and the interactions of research with the economy and society,

Eleven decrees concern the organisation of public research,

Two decrees concern the funding and organisation of research,

One decree concerns the inclusion of people with disability.

The achievement of the target is evidenced by the number of decrees published in the Official Journal that entered into force (evidence i): in Q4 2023, 97 % of the decrees expected under the



Research Programming Law (Law No 2020 – 1674 of 24 December 2020) entered into force. The target of 60 % is therefore met.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 6-6</b>	Related Measure: C6.I2 PIA – Key digital technologies
<b>Name of the Milestone:</b> Launch of the call for proposals or interest	
<b>Qualitative Indicator:</b> Publication on the ‘Secrétariat Général pour l’Investissement’ (SGPI)’s website	<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>The objective of this investment is the development of key digital technologies, under the ‘volet dirigé’ of the fourth ‘Programme d’Investissements d’Avenir’ (PIA4). It shall finance, more specifically, projects falling under the six ‘acceleration strategies’: (1) quantum, (2) cybersecurity, (3) education and digital, (4) cultural and creative industries, (5) 5G, and (6) cloud.</p> <p>Milestone 6-6 concerns the launch of calls for proposals or interest.</p> <p>Milestone 6-6 is the second milestone of the investment, and it follows the completion of target 6-5, related to a number of six strategies validated. It will be followed by milestone 6-7, related to the awards of contracts. Together with the award of contracts, milestone 6-7 will verify the exclusion of (i) activities related to fossil fuels, including downstream use; (ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; (iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and (iv) activities where the long-term disposal of waste may cause harm to the environment. Milestone 6-7 will also verify, for the calls launched prior to the adoption of the CID, that an eligibility criterion was applied to ensure the environmental neutrality of the applications of the funded solution, in a way that ensures that the measure complies with the ‘do no significant harm’ principle of Regulation (EU) 2021/241 and that environmental criteria were part of the selection criteria for projects: It will also verify that operators were required to produce a critical analysis of their proposals based on internal and external expertise. The investment has a final expected date for implementation in Q4 2024.</p>	
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>i. A summary document duly justifying how the milestone was satisfactorily fulfilled, in line with the requirements set out in the CID Annex (an updated version was provided on 28 February 2024);</li> <li>ii. An explanatory Excel file with the list of 22 calls: 20 strategy-specific calls and two transversal calls launched (an updated version was provided on 28 February 2024), including: <ol style="list-style-type: none"> <li>a. the title of the calls for proposals or interest (column E in Sheet ‘AAP par Stratégie’ and column A in Sheet ‘AAP Transverses’) corresponding to</li> <li>b. the strategies adopted under target 6-5 (column C in Sheet ‘AAP par Stratégie’ and column B in Sheet ‘AAP Transverses’);</li> </ol> </li> </ol>	

- c. links to the publication website for each call (column F in Sheet 'AAP par Stratégie' and column C in Sheet 'AAP Transverses'), the links including the terms of reference for the following:
  - 1. AAP 'Solutions innovantes pour les réseaux du futur 5G/6G';
  - 2. AAP conjoint entre la France et l'Allemagne pour des projets sur 'les réseaux privés 5G pour l'industrie';
  - 3. AAP 'Projets Innovants sur le Campus Cyber
  - 4. AAP 'Développement de technologies innovantes critiques' 3
  - 5. AMI 'Stratégie Nationale Cyber – Projets d'accélérateur cyber'
  - 6. AAP 'Cryptographie post-quantique'
  - 7. AAP 'Espaces de données mutualisées'
  - 8. AMI 'Développement et renforcement de la filière française et européenne du Cloud'
  - 9. AAP 'Solutions bureautiques collaboratives'
  - 10. AMI 'Démonstrateurs du supérieur' DEMOes
  - 11. AAP 'Soutenir les alternatives vertes 2'
  - 12. 'AMI Compétences et Métiers d'avenir' (CMA)
  - 13. AAP 'Maturation - Pré-maturation' (MAT)
- d. status (open/closed) of the calls (column H in Sheet 'AAP par Stratégie' and column B in Sheet 'AAP Transverses');
- e. links to the decrees relative to the approval of the terms of reference in the Official Journal (column G in Sheet 'AAP par Stratégie' and column D in Sheet 'AAP Transverses');
- iii. Copy of the terms of reference for each of the calls, for which they were not available under the links provided, that is for the following:
  - a. AAP 'Solutions souveraines pour les réseaux de télécommunications' (5G)
  - b. AAP 'Développement de technologies innovantes critiques' 2
  - c. AAP 'Soutien au déploiement des projets e-FRAN'
  - d. AAP 'Soutenir les alternatives vertes'
  - e. AAP 'expérience augmentée du spectacle vivant' et 'numérisation du patrimoine et de l'architecture'
  - f. AMI 'Musique et spectacle vivant' et 'Savoir-faire d'exception'
  - g. AAP 'solutions de billetteries innovantes'
  - h. AMI - Accélérateurs 'Architecture & Design et Savoir-faire d'exception'
  - i. AMI 'Favoriser le développement d'infrastructures ouvertes et pérennes permettant de réserver et de payer l'ensemble des offres culturelles du territoire'
- iv. Copy of or the links to the impact grids to be filled in by the operators including environmental criteria including for climate change attenuation, as part of the application form:
  - a. AAP 'Solutions souveraines pour les réseaux de télécommunications' (5G) - AAP Télécoms 5G \_ Annex 5
  - b. AAP 'Solutions innovantes pour les réseaux du futur 5G/6G' - 'Grille impact\_ACRONYME\_candidat'
  - c. AAP conjoint entre la France et l'Allemagne pour des projets sur 'les réseaux privés 5G pour l'industrie' - Annex 4 - 'Porteur projet monopartenaire - Chef de file projet collaboratif'
  - d. AAP 'Projets Innovants sur le Campus Cyber' - Annex 5 - 'Porteur projet monopartenaire - Chef de file projet collaboratif'

- e. AAP 'Développement de technologies innovantes critiques' 3 - 'Grille impact\_ACRONYME\_candidat'
  - f. AAP 'Cryptographie post-quantique' - Annex 5 - 'Porteur projet monopartenaire - Chef de file projet collaboratif'
  - g. AAP 'Espaces de données mutualisées' - 'Grille impact\_ACRONYME\_nomcandidat'
- v. June 2023 assessment report of the Surveillance Committee for Future-oriented Investments (Comite de surveillance des investissements d'avenir, CSIA, (provided with the second payment request for milestone 4-3, see evidence viii), also available at: <https://www.vie-publique.fr/files/rapport/pdf/291199.pdf>).

**Analysis:**

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

**All calls for proposals or interest under this measure for the strategies adopted under target 6-5 launched.**

One or several calls for projects, or calls for interest, have been launched for each of the six strategies under the scope of this measure. In total, 22 calls have been launched: 20 strategy-specific calls and 2 transversal calls (one call for interest covering the six strategies, and one call for projects covering two strategies (Quantum and Cloud). The launch of the calls is demonstrated through the publication and/or terms of reference for each call. The calls correspond to the following strategies:

- **Quantum:** one dedicated call on post-quantum cryptography 'Cryptographie post-quantique' was launched on 31 January 2022 (see evidence ii.c.6) and both transversal calls on skills and occupations for the future 'Compétences et Métiers d'avenir' launched in May 2023 and on maturing and pre-maturing 'Maturation - Pré-maturation' launched on 16 December 2021 (see evidence ii.c.12 and ii.c.13).
- **Cybersecurity:** four dedicated calls were launched, one call on innovative projects on Campus Cyber 'Projets Innovants sur le Campus Cyber' launched on 9 September 2021 (see evidence ii.c.3), one call on development of critical innovative technologies 2 'Développement de technologies innovantes critiques 2' closed on 4 May 2022 (see the terms of reference in evidence iii.b), one call on development of critical innovative technologies 3 'Développement de technologies innovantes critiques 3' launched on 19 June 2023 (see evidence ii.c.4), one call on National Cyber Strategy – cyber accelerator projects 'Stratégie Nationale Cyber – Projets d'accélérateur cyber' launched on 15 December 2021 (see evidence ii.c.5) and the transversal call on skills and occupations for the future 'Compétences et Métiers d'avenir' launched in May 2023 (see evidence ii.c.12).
- **Education and digital:** two dedicated calls were launched, one call on digital demonstrators in higher education (DemoES) 'Démonstrateurs numériques dans l'enseignement supérieur (DemoES)' launched on 9 March 2021 (see evidence ii.c.10), one call on support to the deployment of e-FRAN projects 'Soutien au déploiement des projets e-FRAN' closed on 19 May 2022 (see the terms of reference in evidence iii.c), and the transversal call on skills and occupations for the future 'Compétences et Métiers d'avenir' launched in May 2023 (see evidence ii.c.12).
- **Cultural and creative industries:** seven dedicated calls were launched, one call on supporting green alternatives 'Soutenir les alternatives vertes' closed on 3 December 2021

(see evidence iii.d), one call on enhanced experience of the live performance and digitalisation of heritage and architecture 'expérience augmentée du spectacle vivant' and 'numérisation du patrimoine et de l'architecture' launched on 3 September 2021 (see evidence iii.e), one call on music and live performance and exceptional know-how 'Musique et spectacle vivant' and 'Savoir-faire d'exception' closed on 14 October 2022 (see evidence iii.f), one call on supporting green alternatives 2 'Soutenir les alternatives vertes 2' launched on 20 April 2023 (see the terms of reference in evidence ii.c.11), one call on innovative ticketing solutions 'solutions de billetteries innovantes' launched on 20 April 2023 (see evidence iii.g), one call on architecture design and exceptional know-how accelerators 'Accélérateurs Architecture & Design et Savoir-faire d'exception' launched on 31 August 2023 (see evidence iii.h), one call on promoting the development of open and sustainable infrastructure for reserving and paying for all cultural offers 'Favoriser le développement d'infrastructures ouvertes et pérennes permettant de réserver et de payer l'ensemble des offres culturelles du territoire' launched on 3 September 2021 (see evidence iii.i), and the transversal call on skills and occupations for the future 'Compétences et Métiers d'avenir' launched in May 2023 (see evidence ii.c.12).

- **5G:** three dedicated calls were launched, one call on sovereign solutions for telecommunications networks 'Solutions souveraines pour les réseaux de télécommunications 5G' closed on 8 June 2022 (see evidence iii.a), one call on innovative solutions for networks of the future 5G/6G 'Solutions innovantes pour les réseaux du futur 5G/6G' launched on 6 January 2023 (see evidence ii.c.1), one joint call with Germany on 5G private networks for industry 'Appel à projets conjoint entre la France et l'Allemagne pour des projets sur "les réseaux privés 5G pour l'industrie"' launched on 3 March 2022 (see evidence ii.c.2), and the transversal call on skills and occupations for the future 'Compétences et Métiers d'avenir' launched in May 2023 (see evidence ii.c.12).
- **Cloud:** three dedicated calls were launched, one call on mutualised data spaces 'Espaces de données mutualisées' launched on 2 June 2023 (see evidence ii.c.7), one call on development and strengthening of the French and European cloud industry 'Développement et renforcement de la filière française et européenne du Cloud' closed on 17 May 2021 (see evidence ii.c.8), one call on collaborative office automation solutions 'Solutions bureautiques collaboratives' launched on 9 March 2022 (see evidence ii.c.9) and both transversal calls on skills and occupations for the future 'Compétences et Métiers d'avenir' launched in May 2023 and on maturing and pre-maturing 'Maturation - Prématuration' launched on 16 December 2021 (see evidence ii.c.12 and ii.c.13).

**with terms of reference including as eligibility criterion to ensure the environmental neutrality of the applications of the funded solution.**

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

In addition, the French authorities provided the links to the publicly available Decrees related to the approval of the terms of reference in the Official Journal for 20 out of 22 calls. On the first page of each Decree on the website 'legifrance' a footnote was included specifying where the terms of reference can be consulted while they are open, which also included the SGPI's website (see evidence ii.e). In the two cases, in which the calls were not published in the Official Journal, they are

accessible on the BPI website ([Cloud industry](#) and [collaborative office automation](#)).

The terms of reference of 20 calls for project or interest were launched after the adoption of the Council Implementing Decision (CID) (all calls except the two that were launched before on (i) development and strengthening of the French and European cloud industry 'Développement et renforcement de la filière française et européenne du Cloud' under the Cloud strategy and (ii) on digital demonstrators in higher education (DemoES) 'Démonstrateurs numériques dans l'enseignement supérieur (DemoES)' under the Education and digital strategy).

Each of the 20 calls launched after the adoption of the CID contains explicit reference to the DNSH principle of Regulation (EU) 2021/241 (see page 7 of evidence iii.a, page 6 of evidence ii.c.1, Annex 1 of evidence ii.c.2, page 3 of evidence ii.c.3, page 5 and Annex 2 of evidence iii.b, pages 5 to 6 of evidence ii.c.4, page 5 of evidence ii.c.5, page 6 and Annex 2 of evidence ii.c.6, Annex 1 of evidence ii.c.7, Annex 1 of evidence ii.c.9, page 10 of evidence iii.c, page 3 of evidence iii.d, page 5 of evidence iii.e, page 8 evidence iii.f, pages 6 and 8 and Annex 1 of evidence ii.c.11, Annex 1 of evidence iii.g, Annex 1 of evidence iii.h, page 4 of evidence iii.i, page 14 and Annex 1 of evidence ii.c.12 and pages 7 and 13 of evidence ii.c.13).

**Furthermore, in line with the description of the measure, this shall complement the fact that, whenever applicable, environmental criteria are part of the selection criteria for projects.**

All the calls launched after the Council Implementing Decision under the acceleration strategies include environmental criteria as part of the selection criteria for projects (see pages 7-8 of evidence iii.a, page 7 of evidence ii.c.1, page 4 of evidence ii.c.2, page 9 of evidence ii.c.3, section 4.3 and Annex 2 of evidence iii.b, page 6 of evidence ii.c.4, page 8 of evidence ii.c.5, pages 11-12 and Annex 2 of evidence ii.c.6, page 10 of evidence ii.c.7, page 7 of evidence ii.c.8, pages 5 and 12-13 of evidence ii.c.9, pages 3-6 of evidence iii.d, page 6 of evidence iii.e, page 8 evidence iii.f, pages 8-9 of evidence ii.c.11, page 8 of evidence iii.g, page 9 of evidence iii.h, page 7 of evidence iii.i and page 13 of evidence ii.c.12). Environmental criteria were not included for i) the call on digital demonstrators in higher education (DemoES) 'Démonstrateurs numériques dans l'enseignement supérieur (DemoES)', which was launched before the Council Implementing Decision, ii) the call on support to the deployment of e-FRAN projects 'Soutien au déploiement des projets e-FRAN' where such criteria are not applicable in view of the area of the call (research in the education) and the iii) transversal call on maturing and pre-maturing 'Maturation - Pré-maturation', where such criteria are not applicable since concerning programmes to accompany innovation projects run by higher education and research institutions.

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

Pursuant to Article 8 of Law No. 2010-237 amending finances for 2010 of the 9 March 2012, those projects financed by the PIA, among other objectives, aim to accelerate the green transition (see [Article 8 - LOI n° 2010-237 du 9 mars 2010 de finances rectificative pour 2010 \(1\) - Légifrance \(legifrance.gouv.fr\)](#)).

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

The June 2023 assessment report of the Surveillance Committee for Future-oriented Investments (Comité de surveillance des investissements d'avenir, CSIA) outlines the addition, within the assessment mechanism, of ex-ante and continuous assessments which complement the ex-post assessment established in 2019 by the CSIA and the Secretariat General for Investment (Secrétariat général pour l'investissement – SGPI). The June 2023 assessment report of the Surveillance Committee for Future-oriented Investments further details how the SGPI monitors the dedicated indicators associated to seven impact areas, enabling the continuous assessment of the projects' impacts (see page 85 to 87), including sustainable development. Retained indicators for the latter are avoided greenhouse gas emissions, avoided energy consumption and reduction of materials consumed.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 7-9</b>	Related Measure: C7.R4 Governance of public finances
<b>Name of the Milestone:</b> New Public Finance Programming Law (LPFP, 'Loi de Programmation des Finances Publiques')	
<b>Qualitative Indicator:</b> Entry into force	<b>Time:</b> Q1 2023
<p><b>Context:</b></p> <p>The objective of this reform is to put in place a strategy for the consolidation of public finances in the medium and long term.</p> <p>Milestone 7-9 concerns the entry into force of a new 2023-2027 Public Finance Programming law (LPFP, 'Loi de Programmation des Finances Publiques') ensuring that France stabilizes and then reduces its public debt ratio over this period.</p> <p>Milestone 7-9 is the fourth and last milestone of the reform and it follows the completion of milestones 7-6, 7-7 and 7-8 related, respectively, to the submission of the CAFP report on the post-crisis budgetary strategy and the renovation of the public finance governance framework, to the entry into force of new organic legislative provisions implementing selected recommendations of the CAFP report and the implementation of a COVID debt containment scheme.</p>	
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. A summary document duly justifying how the milestone was satisfactorily fulfilled, with appropriate references to the underlying evidence.</li> <li>ii. A copy of the 2023-2027 Public Finance Programming law No. 2023-1195 of 18 December 2023 published in the Official Journal of the French Republic (JORF No. 00293 of 19 December 2023): <a href="https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000048581885">https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000048581885</a></li> </ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"> <li>iii. A Copy of the Decision No. 2023-857 DC of 14 December 2023 issued by the French Constitutional Council regarding the 2023-2027 Public Finance Programming law</li> </ul>	

adopted by the French Parliament on 15 November 2023 (No. 186).

**Analysis:**

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

**Entry into force of a new Public Finance Programming Law (LPFP, ‘Loi de Programmation des Finances Publiques’) implementing the new organic legislative provisions adopted and setting a public finance path making it possible to stabilize and then decrease the debt ratio.**

The 2023-2027 Public Finance Programming law No. 2023-1195 of 18 December 2023 (*hereinafter referred to as ‘LPFP’*) entered into force on 20 December 2023, the day after its publication in the national Official Journal (JORF No. 00293 of 19 December 2023).

The 2023-2027 LPFP implements key aspects of the new public finance governance framework introduced by the Organic Law No. 2021-1836 of 28 December 2021 on the modernisation of public finance management (*hereinafter referred to as ‘Organic Law’*). In line with Article 1 of the Organic Law, article 3 of the 2023-2027 LPFP sets out, for each year of the programming period, a new target for general government expenditure in volume and a forecast in value expressed in billions of euros. In accordance with Article 62-I of the Organic Law, Article 5 of the 2023-2027 LPFP also provides that the French government explains any important deviation identified by the ‘Haut Conseil des Finances Publiques’ (national Fiscal Board) between the implementation of the previous budget year and the structural balance objectives set out in Article 2 of the 2023-2027 LPFP and indicates the corrective measures envisaged which will be taken into account in the next budget laws.

The multiannual trajectory defined in Article 3 of the 2023-2027 LPFP provides for a stabilization and then a reduction of France's public debt ratio (from 109.7% of GDP in 2023 to 108,1% in 2027 after stabilizing at around 109.6%-109.7% over the period 2023-2025). According to the projections underlying the 2023-2027 LPFP, this downward trajectory is made possible by the gradual reduction of France’s general government balance (from -4.9% of GDP in 2023 to -2.7% in 2027), as set out in its Article 3.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 7-17</b>	Related Measure: C7.I2 Digital upgrade of the State and territories		
<b>Name of the Target:</b> Number of companies benefitting from public orders			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 200	<b>Time:</b> Q1 2023
<b>Context:</b> The objective of measure is to identify digital innovative approaches allowing for an improvement of the efficiency of the public action and the quality of the working environment of public officials, including for e-mobility. In this context, a ‘Public Agent Digital Backpack’ Fund for projects shall modernize the workstation of State officials and an ‘Innovation and digital transformation Fund’ support high-impact digital initiatives within the State and local authorities, while supporting the digital sector.			

Target 7-17 concerns the number of companies benefitting from public orders in the framework of the 'Innovation and Numerical transformation' and 'Digital upgrade of the State and territories' Funds to digitally upgrade State and local authorities.

Target 7-17 is the first target of the implementation of the investment and it will be followed by target 7-18 related to a percentage of civil servants whose job can be performed remotely equipped for teleworking.

The investment has a final expected date for implementation in March 2023.

**Evidence Provided:**

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

- i. Summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision (CID) Annex.
- ii. List of 250 companies benefitting from the awarded projects categorised by objective and theme as per the CID Annex.

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

- iii. The financing agreement of the funded project containing the code 'Ministry Administrative Project' (PAM) to certify the correspondence between the proposals and the funding.
- iv. The French National Activity (NAF) code of each companies specifying their activity which can be consulted under the website 'societe.com' ([Societe.com](http://Societe.com)).
- v. Extracts from the information system 'Chorus' showing the payments made to the companies have been effectively charged to the corresponding financing agreement of the funded project (evidence iii.).

The authorities also provided:

- vi. All the fact sheets of the calls for proposals launched under this measure to certify the correspondence and equivalence between the themes of the recovery plan and the themes set out in the description of the measure in the Council Implementing Decision.

**Analysis:**

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

**Number of companies benefitting from public orders in the framework of the 'Innovation and Numerical transformation' and 'Sac à dos numérique de l'Agent public' Funds to digitally upgrade State and local authorities.**

The French authorities provided a list of 250 companies benefitting from public orders that support and contribute to the 'Digital upgrade of the State and territories' measure. This list demonstrates the details of the projects financed and the additional information such as the official identification number (N° SIRET), the location of the company (department and region) and the themes for which the company had been contractualised. The provided list resulted from calls for proposal launched under the two funds 'Innovation and Numerical transformation' and 'Public



Agent Digital Backpack' where State and local authorities submitted their applications to the instant desks 'demarches-simplifiées.fr' platform (evidence vi.). In total, 7034 projects were submitted to the Interministerial Digital Directorate (DINUM) of the Ministry of Transformation and Public Service under the nine themes 'Innovation and digital transformation' and the five themes 'Public Agent Digital Backpack' of the France Relance programme. 4987 projects were accepted. According to the provisions of the financing agreement of the funded project (evidence iii.) each beneficiary authority had to communicate the companies mandated by them to assist them in the implementation of the projects.

The latter information has been verified for a sample of 60 randomly selected companies out of the 250 through the consultation of the website 'societe.com' (evidence iv.), the review of the financing agreement (evidence iii.) and the extracts from the information system 'Chorus' provided by the French authorities (evidence v.). The evidence provided for a sample of 60 units confirmed that this requirement of the target has been met.

**Furthermore, in line with the description of the target, to provide a more efficient, more collaborative and more mobile digital work environment for State employees, the funded projects shall fall under five themes: increased performance of data transport networks; development of federated digital identification for State officials; of secure remote access solutions to digital tools; of unified communication solutions at the interministerial level; and support for the acquisition by managers and teams of digital working methods.**

The French authorities provided the fact sheets of the calls for proposals launched in the context of the above-mentioned requirement (evidence vi) the review of which confirmed that their terms of reference are in line with the themes set out in the description of the measure in the Council Implementing Decision.

The list of companies provided (evidence ii) showed that, where applicable, the listed companies have benefited from public orders under the above five themes.

In addition, for a sample of 60 randomly selected companies supporting documents (evidence iii. and v.) indicating the corresponding theme code and the 'Ministry Administrative Project' (PAM) code of the financing agreement were provided. The evidence provided for this sample of 60 units confirmed that this requirement of the target has been met.

**Furthermore, in line with the description of the target, to stimulate digital innovation and accelerate the digital transformation of the State, the funded projects shall fall under eight themes: quality dematerialization of the administrative procedures most used by citizens and businesses; new natively digital public policies; development of best digital practices born in local State services; professionalize public digital sectors; develop the use of data in the service of public action; study and experiment with the use of emerging digital technologies and approaches; digital transformation of local authorities; support structuring projects mobilizing multiple transformation levers.**

The French authorities provided the fact sheets of the calls for proposals launched in the context of the above-mentioned requirement (evidence vi) the review of which confirmed that their terms of reference are in line with the themes set out in the description of the measure in the Council Implementing Decision.

The list of companies provided (evidence ii.) showed that, where applicable, the listed companies

have benefited from public orders under the above height themes.

In addition, for a sample of 60 randomly selected companies, supporting documents (evidence iii. and v.) indicating the corresponding theme code and the 'Ministry Administrative Project' (PAM) code of the financing agreement were provided. The evidence provided for this sample of 60 units confirmed that this requirement of the target has been met.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 7-18	Related Measure: C7.I2 Digital upgrade of the State and local authorities		
<b>Name of the Target:</b> Percentage of civil servants whose job can be performed remotely equipped for teleworking			
<b>Quantitative Indicator:</b> Percentage	<b>Baseline:</b> N/A	<b>Target:</b> 95%	<b>Time:</b> Q3 2023
<p><b>Context:</b></p> <p>The aim of this measure is to identify digital innovative approaches allowing for an improvement of the efficiency of public action and the quality of the working environment of public officials, including for e-mobility. In this context, a 'Public Agent Digital Backpack' Fund for projects shall modernize the workstation of State officials and an 'Innovation and digital transformation Fund' support high-impact digital initiatives within the State and local authorities, while supporting the digital sector.</p> <p>Target 7-18 requires that 95% of the civil servants whose job can be performed remotely (out of a reference pool of 395 000 civil servants) are equipped for teleworking.</p> <p>Target 7-18 is the second and last target of the investment and is accompanied by Target 7-17 in this payment request, related to the number of companies benefiting from public orders in the framework of the two aforementioned digital Funds.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. A Summary document duly justifying how the target was satisfactorily fulfilled with appropriate links to the underlying evidence.</li> </ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"> <li>ii. An excel file with 9 lists of beneficiaries (one per ministry concerned) comprising a total of 379 871 civil servants digitally equipped for remote working (updated version received on 8 March and final updated version on 15 March 2024).</li> </ul> <p>In the context of the sampling analysis, the following evidence was provided for a sample of 60 beneficiaries:</p> <ul style="list-style-type: none"> <li>iii. For the ministry of Home Affairs and Overseas, extracts of the ministry's inventory system, a presentation of the ministry's remote access system and budget documents confirming the order and reception of VPN licences.</li> <li>iv. For the secretary general of the ministry of Health, extracts of the ministry's inventory and</li> </ul>			

digital certification systems.

- v. For the ministry of Economy and Finances, extracts of the ministry's inventory system and of the civil servants' desktops for the sampled units.
- vi. For the ministry of national Education, extracts of the academies' inventory and digital certification systems.
- vii. For the ministry of Justice, extracts of the ministry's inventory system and a presentation of the ministry's remote access system.
- viii. For the ministry of European and Foreign Affairs, extracts of the ministry's inventory system and of the civil servant 's laptop and desktop for the sampled unit.

Due to security concerns, the following on the spot checks of sampled items were carried out in the Ministry of Defence by the Commission services:

- ix. On 22 February 2024, verifying the 8 sampled items from the ministry;
- x. On 22 March 2024, verifying additional 60 items drawn from the updated beneficiary list (see evidence ii).

The Commission services also carried out:

- xi. a video conference of 4 March 2024 to verify the information systems of the ministries from which the sampled evidence was drawn.

#### **Analysis:**

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

#### **Percentage of civil servants are equipped for teleworking based on a census conducted by the State's digital departments.**

**This target is assessed against a reference pool of 395 000 public servants whose job can be performed remotely.**

The French authorities provided a list of 379 975 (updated to number 379 871, see below) civil servants equipped for teleworking compiled by the State's digital departments of nine different ministries based on extractions from their respective IT systems (see evidence ii). The different reporting and confidentiality rules applicable to each ministry meant that the civil servants were either identified according to their staff number, the inventory number of their digital device or by the reference of their individual digital certificates allowing remote access to their respective ministries' network.

As specified by the description of the target, this number was assessed against a reference pool of 395 000 public servants whose job can be performed remotely. The number reported corresponds to 96.2% of the reference pool. The evidence provided for a sample of 60 units (see evidence iii to x) confirmed that the requirements of the target have been met. For 52 of the 60 units sampled, the evidence from the inventory systems provided by the six ministries concerned – and, where needed, the screenshots of the officers' digital devices - demonstrated that the civil servants had been allocated laptops or notebooks and were able to access their administrations' internal network

remotely, either through their ministry’s VPN or the individual token or digital certificates that had been assigned to them. A virtual on-the-spot check (see evidence xi) was also carried out by the Commission services on the six ministries’ databases to corroborate the screenshots and extractions provided.

Due to security reasons, on-site inspections (see evidence ix to x) had to be conducted by the Commission services to verify the information provided by the Ministry of Defence for the 8 remaining units included in the sample. For one of these units, the information encoded in the ministry’s IT system indicated that the token and associated laptop had not been assigned to a given individual but made available to the personnel of operational units on mission. As a result, an additional sample of 60 units was drawn from the Ministry of Defence list based on the list updated on 15 March, which was corrected to exclude laptops not assigned to civil servants for teleworking (104 laptops were removed resulting in a final list of 379 871 civil servants). The second on-site inspection demonstrated that the 60 randomly selected civil servants from the Ministry of Defence had been allocated laptops or notebooks and have individual token allocated to them thus allowing to access their administration’s internal network remotely.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 7-21</b>	Related Measure: C7.I4 Digital upgrade of the State – digital ID		
<b>Name of the Target:</b> Number of holders of the new ID card with a ‘digital identity’ compartment			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> N/A	<b>Target:</b> 12 500 000	<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>The objective of the measure is to produce and put in circulation national digital identity cards and develop a state-guaranteed digital system. In this context, the State IT systems shall also be upgraded, including the application for secure electronic documents ‘Titres électroniques sécurisés’ (and subsequent cybersecurity upgrade), the implementation of fingerprint collection devices, and the National Agency for Secure Titles’ user portal. This measure shall improve security and European digital interoperability (eIDAS Regulation).</p> <p>Target 7-21 requires 12 500 000 of holders of the new ID card with a ‘digital identity’ compartment allowing them to access the newly developed sovereign digital identity application.</p> <p>Target 7-21 is the second and last target of the investment, and it follows the completion of target 7-20, related to the number of 3 000 000 of new identity cards produced and in circulation.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. A summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the CID Annex;</li> <li>ii. 23 initial lists of beneficiaries by CERT (in some instances consisting of two parts) for more than 12.5 million digital IDs in total (hereinafter referred to as ‘the initial lists</li> </ul>			

- of beneficiaries by CERT'), final updated lists of beneficiaries with a sequential numbering received on 21 March 2023 referring to the 16 249 826 digital ID cards (hereinafter referred to as 'final lists of beneficiaries');
- iii. ANTS User guide for electronic ID cards for both local administration and ID cards issuing authorities, version V21.8.0 of 18 January 2022 (hereinafter referred to as 'the user guide');
  - iv. Annual Report (2021) from the National Secure Documents Agency (ANTS) detailing among others the improved security owing to the new digital identity cards – *provided with the second payment request for T7-20, publicly available at <https://ants.gouv.fr/nos-resultats>* (hereinafter referred to as 'ANTS 2021 Annual Report');
  - v. Annual Report (2022) from the National Secure Documents Agency (ANTS) detailing among others the rollout of the newly developed sovereign digital identity application (hereinafter referred to as the 'ANTS 2022 Annual Report');
  - vi. Framework contract related to the production of national electronic identity cards (No. 2020-0271) between ANTS and the National Printing Company, signed on 25 March 2020 (hereinafter referred to as the 'framework contract');
  - vii. Annex 4 to the abovementioned framework contract, containing technical specifications (hereinafter referred to as the 'technical specifications').

In the context of the sampling analysis, evidence was provided for a sample of 60 and, after the results of this first sampling step proved inconclusive, as a second sampling step, for 228 units, consisting of:

- viii. Screenshot of the relevant CERT's system for each file for each ID card, anonymised appropriately (hereinafter sampled evidence).

The authorities also provided:

- ix. Positioning instructions on the reader for, among others, the new ID cards of July 2021;
- x. A screenshot of the user portal of the ANTS illustrating its upgrade;
- xi. A link to the press release of 13 February 2024 announcing generalisation of the access to the application 'Identité numérique' (<https://www.interieur.gouv.fr/actualites/communiqués-de-presse/generalisation-de-lapplication-france-identite-et-lancement-du#:~:text=L%27application%20France%20identit%C3%A9%20fonctionne,plus%20pr%C3%A8s%20de%20leurs%20attentes>) and the related communication by the president (<https://twitter.com/EmmanuelMacron/status/1759898846576975933>) (hereinafter referred to as 'communication on the generalisation of the application');
- xii. Order of 13 March 2021 implementing, in the departments of Oise and Seine-Maritime, Decree No 2021-279 of 13 March 2021 laying down various provisions relating to the national identity card and the processing of personal data entitled 'Titles' secure electronics' (TES) (hereinafter referred to as 'the Order of 13 March 2021');
- xiii. Decree No 2021-279 of 13 March 2021 laying down various provisions relating to

the national identity card and the processing of personal data entitled 'Titles' secure electronics', published on 14 March 2021, available at <https://www.legifrance.gouv.fr/jorf/id/JORFSCATA000043246717> (TES) (hereinafter referred to as 'the Decree of 13 March 2021');

To complement the screenshot of the user portal of the ANTS, available under <https://passeport.ants.gouv.fr/demarches-en-ligne/faire-une-premiere-demande-de-carte-nationale-d-identite>, the following on-line check was carried out by the Commission:

- xiv. on 4 March 2024, Commission staff made a hypothetical application for an electronic national ID card and documented the portal's screens in a report (hereinafter referred to as the 'on-line check of 4 March').

#### **Analysis:**

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

#### **Number of holders of the new ID card with a 'digital identity' compartment allowing them to access the newly developed sovereign digital identity application.**

The French authorities provided the final lists of beneficiaries for a total number of 16 249 826 new digital ID cards issued to citizens until December 2023 by centres processing ID cards ('Centre d'Expertise de ressources et des titres, hereinafter referred to as 'CERT'), as a proxy for the holders of the new ID card. (The initial lists of beneficiaries by CERT contained a lower number of cards though above the number of the target since limited to the period starting from March 2022. These lists being over 12.5 million, a random sample of 60 units was generated using the file number of the processed ID cards. The results of the statistical test from the first sample were inconclusive. Consequently, the French authorities provided the final updated lists of beneficiaries for 16 249 826 digital ID cards, also including the period prior to March 2022, which is in line with the target not having a reference base. These lists being over 12.5 million, a second random sample of 228 units was generated using the file number of the processed ID cards. The evidence provided for a sample of 228 units – namely the extracts of the relevant CERT's IT system for each digital ID card which included the file number, the reason for the request (such as renewal after theft, new card, renewal after expiry), the status of the process with the associated date (such as produced, sent, received, in circulation, lost or destroyed), the type of the document (in all cases being a national electronic identity card) and the location (see sampled evidence) – confirmed that the target is satisfactorily achieved. 3 units were not considered valid because the document was lost or destroyed (this normally occurs upon issuance of a new ID card) in the period covered by the beneficiary lists (units No. 671 256, No. 7 984 226 and No. 9 639 773), assuming that the respective holder of the ID card would be inappropriately counted more than once. Additionally, statistical analysis was carried out considering the overachievement of the target with 16 249 826 digital ID cards compared to a required target of 12 500 000 which concluded that there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled.

According to the framework contract and its annex 4, containing the technical specifications (see

the framework contract, on pages 6, 11 and 18-19, and the technical specifications, on pages 48, 50-51, 53-54 and 56), all new ID cards have to have a chip, an electronic component of the ID card, with a contact and contactless electric interface, respecting, amongst others, the following specification: PACE-PIN (Password Authenticated Connection Establishment-Personal Identification Number, also referred to as 'the digital identity application' or 'Personnalisation électrique de l'application d'identité numérique'). The French authorities explained that it is possible to install applications in the electronic component of a digital identity card. When the digital identity card is issued, two applications receive identity data (surname, forenames, date of birth, gender, etc.). These are:

- The mandatory application of physical identity for any secure document under international and European regulations, which is accessible to authorised readers.
- The digital identity application, which only allows reading the data using a PIN code ('personal identification number') (hereinafter referred to as 'PACE-PIN').

The PACE-PIN feature/application is a 'digital identity' compartment and is embedded in all electronic identity cards issued since the pilot phase, which started on 15 March 2021, for the production of new ID cards in accordance with section 7.2.2 of the framework contract (page 12), Article 1 of the Order of 13 March 2021 and Article 2 of the Decree of 13 March 2021, which introduced an Article 1-1 to the Decree of 22 October 1955 establishing the national identity card, setting out that the national identity card has an electronic component. Therefore, all new identity cards, including all those listed in the final lists of beneficiaries for a total of 12 843 361 have a 'digital identity' compartment since they were issued on or after that date.

According to the ANTS 2022 annual report (pages 25 to 27), the sovereign digital identity application, called 'France Identité', has been launched on operating systems Android and iOS in 2022. In particular, it specifies the progress of the development and availability to the public of sovereign digital identity solutions: launch of the application 'France Identité', allowing authentication on France Connect and the production of electronic one-time identity credentials. To authenticate on France Connect, it is sufficient for the user to enter his/her personal code (defined in the application after a verification of the identity) and read his/her identity card to authenticate. Therefore, the 'digital identity' compartment allows the holders of the new ID cards to access the new sovereign digital identity application.

The sovereign digital identity application can be considered as 'newly developed' considering that the application has been launched in the dedicated Android and Apple stores in 2022 (see the ANTS 2022 annual report on page 25) and the access to it has been generalised on 13 February 2024 (see the communication on the generalisation of the application), and that the ID cards are technically ready to use the application. All holders of the new digital identity card are allowed to access the new sovereign digital identity application 'France Identité' since its launch in 2022, as they all have a 'digital identity' compartment. Under these criteria, 'France Identité' application has been newly developed.

**Furthermore, in line with the description of the measure, two sub-measures shall be implemented: the digital national identity card and the development of a State-guaranteed digital identification system. These two measures shall also contribute to improve security and interoperability.**

The digital national identity card contributes to improving security. In particular, as indicated in the ANTS 2021 annual report, digital identity cards allow for more secure identity cards with new features such as secured transparent borders with optic verification, a new type of diffracted image with nano technology, engraved patterns, high security chips containing the image and figure prints of the card holder, a multiple laser image (MLI) and a secured background with symbols visible only with a magnifying glass and which extend to the transparent border in order to verify that both the front and back of the card belong to the same document (page 24). France has endeavoured to upgrade the national identity card's format in line with the EU Regulation 2019/1157 on strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement (page 24 of the ANTS 2021 annual report). Under these criteria, the new identity cards were considered more secure.

The development of a State-guaranteed digital identification system also contributes to improve security. As indicated in the ANTS 2022 annual report (page 25), providing proof of identity with the help of the application 'France Identité' and the new identity card and using a function to generate a credential of identity is a safer option than providing a photocopy of identity documents. Unsecured scans of identity documents sent by email or SMS are very easy to reuse for malicious purposes. The new application replaces the need to use those scans. A proof of identity for a single use allows the user to produce a PDF document, signed electronically by the Ministry of the Interior, rendering it unusable in the event of modification by others. A frame of use also allows the user to define the period of validity and the addressees. Under these criteria, the development of a State-guaranteed digital identification system is considered more secure.

According to the framework contract (pages 11, 13, 14), the contractor (the National Printing Company) must ensure compliance of the chips used for the digital ID cards with the interoperability specification, including interoperability with near field communication (NFC) terminals. A new element of the new ID cards, namely contactless interface mentioned above, improves interoperability, as it allows the new ID cards to interoperate with the NFC terminals. The digital national identity card, therefore, contributes to improve interoperability.

Also, the development of a State-guaranteed digital identification system contributes to improving interoperability. As described in the ANTS 2022 annual report (page 27), the application 'France Identité' is also part of a European digital identity wallet project to be completed in mid-2025. The project aims to have European digital identity wallets interoperable at the level of 20 European countries through six use cases, including access to government services online. ANTS and the programme 'France Identité Numérique' are part of that project through their participation in the five use cases out of six. As described above, the user of the State-guaranteed digital identification system, including the application 'France Identité', can already authenticate with France Connect to access public services, which is one of the use cases. The development of a State-guaranteed digital identification system, therefore, contributes to improving interoperability.

**In line with the description of the measure, to support the deployment of the new identity cards, without disrupting service to users, the systems, equipment and related IT networks shall be adapted. In particular, these systems shall be upgraded: the application 'Titres électroniques**



**sécurisés’ (and subsequently cybersecurity upgraded), the implementation of fingerprint collection devices, and the user portal of the National Agency for Secure Titles (‘Agence nationale des titres sécurisés’) to allow users accessing their procedures.**

As illustrated by the user guide for the application ‘Titres électroniques sécurisés’, the provided version V21.8.0 dates from 18 January 2022. At the beginning of the document (page 6), there is an explanation of the upgrade since the previous version V21.5.7, which includes updates on the text displayed in the case of refusal of fingerprints when applying for a digital identity card, updates on the ‘Former [identity] document’ section of personal data for a digital identity card and updates on the digitisation of credentials when providing supporting documents for a digital identity card. Thus, the user guide demonstrates that the application ‘Titres électroniques sécurisés’ has been upgraded.

The application ‘France Identité’ obtained the first level security certification in November 2023 for its Android applications (<https://cyber.gouv.fr/produits-certifies/application-france-identite-android-version-124>) and iOS (<https://cyber.gouv.fr/produits-certifies/application-france-identite-ios-version-123>). This demonstrates that cybersecurity has been upgraded.

The device to collect fingerprints is depicted as part of the set-up of an office collecting requests for documents (page 12 of the user guide). According to the user guide (pages 27 and 101 ), the implementation of fingerprint collection devices has evolved in the context of the issuance of the new digital identity card, for example, the workflow and the IT system were upgraded to allow for an option for the fingerprints to be deleted from the application ‘Titres électroniques sécurisés’ after 90 days (pages 101-106). Thus, the user guide demonstrates that the fingerprint collection devices are being implemented and have evolved with the digital identity card.

According to a screenshot of the user portal of the ANTS and an accompanying explanation by the French authorities, the ANTS user portal has been updated to notably allow the user, when submitting his pre-application for a digital identity card online, to be informed of: (a) the taking of his or her fingerprints when passing through the local administration to finalise the filing of the application; (b) the possibility of objecting to the storage of his or her fingerprints in the processing of ‘secure electronic documents’. In particular, the screenshot of a concrete pre-request of a document (with an anonymised number) shows the stage when the pre-request has been registered informing the applicant of the above two points, notably that, in the case of a request of a national identity card, the applicant may refuse keeping digitalised fingerprints beyond 90 days in the application TES (‘Titres électroniques sécurisés’). This was also confirmed by the on-line check of 4 March. The Commission was able to visualise the same updated information screens (see extracts from the portal No. 9 and 10).

**In line with the description of the measure, the development of a State-guaranteed digital identification system shall replace a practice of username/password by a more secure system of digital identification.**

As described above, the application ‘France Identité’, through its interaction with the digital identity card, allows authentication on France Connect (pages 25 to 27 of the ANTS annual report 2022). Thus, this replaces a former practice of username/password by a more secure system of digital identification.

**In line with the description of the measure, the development of the new system shall be made in a European context of digital interoperability (eIDAS Regulation).**

According to the ANTS annual report 2022 (page 22), ANTS prepared a ‘MIE VERIF’ application to facilitate high level authentication (in line with the eIDAS Regulation). The French authorities explained that work has been carried out to obtain the certification of the application ‘France Identité’ as a means of electronic identification with a high level of assurance under European Regulation No 910/2014, the eIDAS Regulation, and in particular the associated Implementing Regulation No 2015/1502. This confirms that the development of the new system is being made in a European context of digital interoperability (eIDAS Regulation).

**In line with the description of the measure, the solution shall allow developing new sensitive public and private uses and fighting online fraud and identity theft.**

According to the ANTS 2022 annual report (page 22), the already available verification systems called ‘2D-Doc’ and ‘DOCVERIF’ allow developing new sensitive public and private uses and fighting online fraud and identity theft. Notably, the report puts forward the examples of the use of those systems in the paperless version of the car registration certificate and, since 2022, by banks to verify the validity of the documents. Among future uses already validated by the CNIL (the National Commission for Informatics and Liberty) it is an addition of new possibilities for questioning, so that the public administration and banks are able to check whether the surname and first name provided on the document are correct.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 7-22</b>	Related Measure: C7.I5 Equipment and infrastructure of the Ministry of the Interior	
<b>Name of the Milestone:</b> Investment to reinforce the digital equipment of the Ministry of Interior		
<b>Qualitative Indicator:</b> Report to be provided by the French Government providing evidence of completion		<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>The measure aims to develop the applications of the Ministry of the Interior and ensure their resilience, by supporting technical infrastructures.</p> <p>Milestone 7-22 requires the completion of the six actions to reinforce the digital equipment of the Ministry of Interior:</p> <ul style="list-style-type: none"> <li>i) State interministerial network,</li> <li>ii) IT base of the territorial administration of the State</li> <li>iii) Police prefecture video protection plan</li> <li>iv) Network security</li> <li>v) Data centre resilience</li> </ul>		

vi) Population alert and information system

Milestone 7-22 is the only milestone of this investment.

**Evidence provided:**

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

A summary document duly justifying how the milestone was satisfactorily fulfilled, in line with the requirements set out in the CID Annex;

- i. Four lists of certificates of completion issued in accordance with national legislation, taking the form of the 'certificate of service done' ('procès-verbaux du service fait') grouped by action, and where relevant project, for the following four actions: State interministerial network, IT base of the territorial administration of the State, Network security and Data centre resilience;
- ii. Two certificates of completion (partial and final) issued in accordance with national legislation, taking the form of the 'certificate of service done' ('attestation de service fait') of 5 December 2022 and of 7 December 2023 for Chesnay data centre, both making reference to the order form *Bon de commande* No. 1405636904, also provided under evidence vi (related to the action Police prefecture video protection plan);
- iii. A certificate of completion issued in accordance with national legislation, taking the form of the certification of the SAIP (Population alert and information system) expenditure 'certification des dépenses SAIP' of 4 August 2023, listing a number of installation and various equipment works with the sirens, in a total of 112 rows;

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

- iv. 'certificates of service' ('procès-verbaux de service fait'), accompanied where needed to justify scope or the nature of the works by the order forms ('bons de commande'), falling into the category of either of four actions: State interministerial network, IT base of the territorial administration of the State, Network security and Data centre resilience (listed under evidence ii);

The authorities also provided:

- v. Order form No. 1405636904 of 25 November 2021 for PDR - RESILIENCE PVPP (Police prefecture video protection plan) - DATACENTER CHESNAY (hereinafter order form No. 1405636904);
- vi. Permission to build of 24 May 2022 for a technical area for hosting a modular data center located in Chesnay-Rocquencourt (related to the action Police prefecture video protection plan);
- vii. A written record of the interministerial meeting of 28 April 2020, acknowledging the end of the RIMBAUD network at the end of 2022 (related to the action State interministerial network);
- viii. A power point presentation of the meeting of ATE (the territorial administration of the State) sub-directors of 25 November 2022, illustrating new organization to coordinate the network of departmental inter-ministries information and communication systems services (related to the action IT base of the territorial administration of the State);
- ix. Specifications of the interface web FR-ALERT of 7 February 2023 (related to the action Population alert and information system);

- x. The link to the Annual Report 2022 of the Secretariat General of Defence and National Security, mentioning extinction of the RIMBAUD network ([https://www.sgdsn.gouv.fr/files/files/V10\\_Rapport\\_2022\\_page\\_%C3%A0\\_page.pdf](https://www.sgdsn.gouv.fr/files/files/V10_Rapport_2022_page_%C3%A0_page.pdf)) (related to the action State interministerial network);
- xi. The link to the police prefecture video protection plan site (<https://www.prefecturedepolice.interieur.gouv.fr/demarches/plan-de-videoprotection>);
- xii. Feasibility study for the second electric power supply - buildings B15 and B21 of 12 December 2018 (hereinafter the feasibility study of 2018 or evidence xiii);
- xiii. Technical presentation of the offer No. 2115DB100\_V.1.1 of 10/03/2021 by APL (hereinafter the APL technical presentation or evidence xiv);
- xiv. the certificates of delivery and installation issued by the supplier ITNI with a title 'high voltage loop of Rosny':
  - a. dating from 15 May 2023 concerning creation of a new ENEDIS 20 kV delivery post, named Camelinat, in support of the existing Langlet station at the back of Rosny;
  - b. dating from 15 May 2023 concerning two inverter stations (for Camelinat and Langlet);
  - c. dating from 13 February 2023 concerning creation of a 20 kV high voltage loop/network, buried connection to the various data centres;
  - d. dating from 15 May 2023 concerning transformer unit in B021 (20 kV);
  - e. dating from 8 December 2023 concerning replacement of the B021 transformer (15 kV) by 20 kV;
  - f. dating from 12 June 2023 concerning creation of a general switchboard for power generators (*tableau électrique général des groupes électrogènes*) TGGE (to start up the power generator, *groupe électrogène* GE);
  - g. dating from 29 February 2024 concerning permutation post link.
- xv. email exchange with ENEDIS of 01/02/2024 confirming that the CAMELINAT post is connected and is put in operation.
- xvi. The SI ATE Scoreboard dated February 2024 (related to the action IT base of the territorial administration of the State)
- xvii. Infographics illustrating amongst others the establishment of (departmental) joint secretariats general (*secrétariats généraux communs (départementaux)*), publicly available at [https://www.modernisation.gouv.fr/files/fileadmin-legacy/Book/Fiche4\\_8.pdf](https://www.modernisation.gouv.fr/files/fileadmin-legacy/Book/Fiche4_8.pdf) and at [https://www.prefectures-regions.gouv.fr/var/ire\\_site/storage/images/media/media-hauts-de-france/images/infographie-2-ote/517066-1-fre-FR/infographie-2-ote.jpg](https://www.prefectures-regions.gouv.fr/var/ire_site/storage/images/media/media-hauts-de-france/images/infographie-2-ote/517066-1-fre-FR/infographie-2-ote.jpg) (related to the action IT base of the territorial administration of the State).
- xviii. Decree No. 2020-99 of 7 February 2020 on the organisation and tasks of the departmental joint secretariats general, available at <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000041547555> (related to the action IT base of the territorial administration of the State).
- xix. The agenda for the meeting of 25-29 March of directors of inter-ministerial departmental directorates (DDI) (related to the action IT base of the territorial administration of the State).
- xx. arborescence of antivirus systems (related to the action IT base of the territorial administration of the State).
- xxi. The publicly available presentation of the police prefecture video protection plan at: <https://www.prefecturedepolice.interieur.gouv.fr/demarches/plan-de-videoprotection>.
- xxii. The links to cybersecurity applications:
  - a. CYBERWATCH (see <https://cyberwatch.fr/>);

- b. ELASTIC (see <https://www.elastic.co/fr/observability/log-monitoring>); and
- c. firewalls STORMSHIELD (see <https://www.stormshield.com/products-services/products/network-security/>).

Due to security concerns, the following on the spot check was carried out:

- xxiii. To verify doubling existing network connections (related to the action State interministerial network), on 8 March 2024, Commission staff visited Network Operation Centre in Rennes in charge of supervising the State inter-ministerial network.

The Commission services also carried out:

- xxiv. a video conference of 2 April 2024 to verify the completion of the action 'IT base of the territorial administration of the State'.

#### **Analysis:**

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

#### **Completion of the six actions to reinforce the digital equipment of the Ministry of Interior:**

- **State interministerial network;**

**Furthermore, in line with the description of the measure, in particular, the projects supported concern several technical infrastructures: State inter-ministries network: phasing out of the phone network RIMBAUD and doubling existing network connections;**

The record of the interministerial meeting organised on 28 April 2020 to discuss the replacement of the Rimbaud network (see page 1) and the Annual Report 2022 of the Secretariat General of Defence and National Security (see pages 36-38) confirm that the RIMBAUD network was phased out by the end of 2022.

The result of doubling existing network connections was demonstrated during the on-the-spot visit of 8 March 2024 (see evidence xxiv).

The authorities explained that the State interministerial network (RIE) used to be based on the inter-connection, via optical links at 10 Gbps, of core Data Centres in different French regions ('Réseau Epine Dorsale', blue loop in the Summary Document), which were in turn connected with the relevant authorities in the territories. The visit illustrated the completion (as of December 2023) of a new inter-connection at 100 Gbps provided by the operator Terralpha (alpha red loop in the Summary Document), which has resulted in the doubling of the existing network connections of the *Réseau Epine Dorsale* of the RIE between two Data Centres in Paris (PA3 in Rosny, PA4 in Osny), one in Bordeaux (BD2) and one in Toulouse (TLS). Furthermore, the doubling of the connection between the Data Centres of PA4, RNS (Rennes), NTE (Nantes) and BD2 (Bordeaux) was finalised before the visit. The visit showed:

- that the Data Centre in Rennes is connected with two clearly separated connections (the 100 Gbps

red connection provided by Terralpha and the original 10 Gbps blue connection) with NTS in Nantes and PA4 in Osny;

- that existing network connections were doubled, as presented by the French authorities. While the red and blue connections are not active at the same time, a technician illustrated by prompting the server the real-time data traffic on both connections;

- in general, for what concerns the alpha loop PA4-PA3-TLS-BD2, data was flowing through the red connections. The old blue connections remained functional but were in 'passive' mode (as communicated by the server) so that they were ready to be used in case of cyberattack/technical problem to the red connections.

The evidence provided for a sample of 60 units spanning over four actions under this milestone, including State interministerial network confirmed that the requirements of the milestone have been met. The sampled documents falling under this action refer to the red loop, which, according to the on-the-spot visit and maps and explanations provided in the summary document, refer to the doubled connections on top of the blue loop, for instance, entailing a connection of Lyon point of presence (POP) site 3 with the red loop (the certificate of service done No. EJ 1406015497 provided with sample No. 12).

- **IT base of the territorial administration of the State;**

**Furthermore, in line with the description of the measure, IT base of the territorial administration of the State: construction of the base and new organization to coordinate the network of departmental inter-ministries information and communication systems services;**

The evidence provided for a sample of 60 units spanning over four actions under this milestone confirmed that the requirements of the milestone have been met. The sampled evidence falling under this action confirms the acquisition of different IT equipment and software items as well as expertise necessary for the construction of the IT base at departmental level, notably of servers and storage space for prefectures and for the inter-ministerial departmental directorates (DDI) (for instance, through the certificates of service done No. EJ 1510608257 provided with sample No. 59, No. EJ 1405417249 provided with sample No. 68, No. EJ 1405429870 provided with sample No. 72, No. EJ 1405432295 provided with sample No. 75, No. EJ 1405492012 provided with sample No. 105 and No. EJ 1405432295 provided with sample No. 75, No. EJ 1405540309 provided with sample No. 210) and of the licences for the software for servers (for instance, through the certificate of service done No. EJ 1405399951 provided with sample No. 60).

The result of the ended construction of the IT base of the territorial administration of the State (*socle informatique de l'administration territoriale de l'Etat*, SI ATE) and new organization to coordinate the network of departmental inter-ministries information and communication systems (SIDSIC) services was illustrated during the video conference of 2 April 2024 (see evidence xxv).

It was shown through an example of antivirus systems and the arborescence visible on their management console that the base is constructed (see also evidence xxi). At a territorial administration level, this includes IT software rolled out at departmental level (at prefectures and DDI) covering all 96 departments of metropolitan France. The scoreboard of February 2024 (see page 5 of evidence xvii) also confirmed that the workstations in all 96 metropolitan departments have been migrated to SI ATE since end June 2023. This proves that the base was constructed, since the migration presupposes that the construction is finished before the migration can be done.

During the video conference, the French authorities showed and later also submitted the evidence of the new organisation to coordinate the network of departmental inter-ministries information and communication systems. Notably, the (departmental) joint secretariats general (*secrétariats généraux communs (départementaux)* SGC(D) were established for mutual support functions between prefectures and departmental directorates since 1 April 2021 (see page 128 of 1<sup>st</sup> published infographics, evidence xviii), which according to Articles 2 and 3 of the Decree No. 2020-99 of 7 February 2020 include managing of shared functions and resources in information and communication systems for the benefit, on the one hand, of the services of the prefecture of the department and, on the other, of the inter-ministerial departmental directorates (DDI) (see evidence xix).

A power point presentation of the meeting of the territorial administration of the State sub-directors of 25 November 2022 (see pages 10, 11 and 18) attests that to support the SIDSIC (the Interministerial and Departmental Service for Information and Communication Systems) in the implementation of this new common information base for the territorial administration of the State the new organisation also included:

- Setting up a dedicated project team made up of 4 service providers (a technical expert, a project manager, a communication officer, a procurement officer) managed by a programme director and his/her deputy;
- Holding at least one every two months national meeting of territorial digital stakeholders (RNAT) and comprehensive in-person seminar twice a year for all actors [of the territorial administration of the State]. The organisation of the latter was also confirmed through the agenda of the latest such seminar of 25-29 March 2024 of directors of inter-ministerial departmental directorates (DDI) on 27 March 2024 (see page 5 of evidence xx) which included a presentation of the scoreboard (provided in evidence xvii) by the Directorate for Digital Transformation of the Ministry of the Interior (DTNUM).

- **Police prefecture video protection plan;**

**Furthermore, in line with the description of the measure, police prefecture video protection plan: develop and offer new storage and network capacities to the video protection system of the Paris police headquarters, in particular in view of the 2024 Olympic Games;**

Two 'certificates of service done' (*attestation de service fait*) of 5 December 2022 and of 7 December 2023 (see evidence iii) attest completion of the Chesnay data centre, as they refer to the payment of the intermediate and the last tranches of the construction project, respectively. The scope of the order form No. 1405636904 (see related evidence vi) that is referred to by its number in the 'certificates of service done' mainly consists of a modular data centre and new optical cables. As, based on 'certificates of service done' (*attestation de service fait*), the constructions of the new Chesnay data centre was completed on 7 December 2023, in time for the forthcoming Olympic Games, new storage and, by means of the above-mentioned new optical cables, network capacities to the video protection system of the Paris police headquarters have been developed and will offer those capacities for the 2024 Olympic Games.

- **Network security;**

**Furthermore, in line with the description of the measure, networks security: strengthening of the digital security of the Ministry (cyber defense);**

The evidence provided for a sample of 60 units spanning over four actions under this milestone, including Networks security confirmed that the requirements of the milestone have been met. The sampled evidence provided falling under this action confirms that the Networks security has been completed: the 'certificates of service done' corroborate the completion of the related sub-actions and thus projects for all samples. In particular, considering one of the projects, namely SONAR, the sampled evidence (covering 7 out of total of 12 transactions belonging to this project, samples No. 280, 282, 284, 292, 294, 308 and 313 under evidence v) demonstrates that the digital security was strengthened in particular by acquiring an abonnement to a dedicated CYBERWATCH software, a licence for ELASTIC and firewalls Stormshield (Samples No. 282, 284 and 292 under evidence v). According to the summary document, SONAR project is a platform for the collection and analysis of activity logs, fed by the various information systems of the ministry. CYBERWATCH is an IT tool for vulnerability detection; ELASTIC is a tool for monitoring logs; and firewalls STORMSHIELD is a tool to protect networks (see evidence xviii). The purchase of those dedicated tools thus allowed to increase the rate of detection of attacks. As a result, the digital security of the ministry was strengthened.

- **Data centre resilience;**

**Furthermore, in line with the description of the measure, data centre resilience: infrastructure work to ensure energy resilience for the Ministry's data centres;**

In the summary document, the French authorities explained that the action consisted of the infrastructure works, which are aimed at anticipating the future voltage change from 15 kV to 20kv and thus improving the electric resilience of the fort of Rosny. Indeed, according to the feasibility study of 2018 data centers B 15 and B 21 were to be located in Rosny (see evidence xiii). According to the APL technical presentation (see evidence xiv), the intention of the Ministry of Interior was to secure the high voltage power supply of 3 data centers on the Rosny Fort (the buildings with data centers concerned were B 03, B 15 and B 21). Also, the initial national recovery and resilience plan refers to the increased resilience of the ministry's data centers from the energy point of view, 'notably including putting in place a high voltage loop on the Rosny site' (see page 334 thereof). According to the summary document, the works focused on:

- The completion of the construction works on the electric loop (creation of a new 20 kV high voltage loop buried within the fort of Rosny, and connection of the various data centres);
- Replacement of the transformer (creation of a new 20 kV emergency low-voltage transformer for B021).

The evidence provided for a sample of 60 units spanning over four actions under this milestone confirmed that the requirements of the milestone have been met. The sampled evidence, falling under this action, confirms that the data centre resilience has been completed: the 'certificates of service done' corroborate the completion of the related sub-actions for the sample falling under this action, namely related to Trench B021 – HV DC security fort from Rosny – transformer trench to B021 (see sample No. 322 under evidence v). Also, the certificates of delivery and installation issued



by the supplier confirm that the works were completed, notably the certificate by ITNI dated 15 May 2023 certifies creation of a new ENEDIS 20 kV delivery post, named CAMELINAT, in support of the existing Langlet station at the back of Rosny and the certificate by ITNI dated 8 December 2023 certifies replacement of the B021 transformer (15 kV) by 20 kV (see evidence xv). Moreover, ENEDIS confirmed on 01 February 2024 that the CAMELINAT post is connected and is put in operation (see evidence xvi).

- **Population alert and information system.**

**Furthermore, in line with the description of the measure, population alert and information system: develop the alert and information system to the population, in particular with a view of implementing of the new FR-Alert system (see also measure ‘Ministry of the Interior’s applications’).**

The alert and information system to the population, is developed with the view of implementation of the FR-Alert system. In the summary document, the French authorities explained that the action involves two strands:

- the installation and maintenance of SAIP sirens;
- the provision of software enabling the alert to be triggered and to monitor the equipment, i.e. the application for triggering SAIP sirens or, in short, the SAIP application.

FR-Alert is the new multi-channel alert system. This action under this milestone concerns the work to interconnect the software for triggering SAIP sirens with that of FR-Alert. The specifications of the interface web FR-ALERT, which provides a functional and technical description of the web interface of the server of the SAIP application for the FR-Alert service (see pages 3, 7 of evidence x for the versioning of the document and a short description of its contents) attest the work of interconnection. Moreover, the certification of the SAIP (Population alert and information system) expenditure of 4 August 2023 (see evidence iv), listed a number of completed installation and equipment works with the sirens. Both of these pieces of evidence attest completion of the action ‘population alert and information system’.

**Furthermore, in line with the description of the measure, the measure shall develop the applications of the Ministry of the Interior and ensure their resilience.**

The measure allowed development of the six abovementioned applications also referred to as actions of the Ministry of the Interior (namely, State interministerial network, IT base of the territorial administration of the State, police prefecture video protection plan, network security, data centre resilience and population alert and information system) and ensure their resilience (see evidence i to xxv, also referred to above). The objective of those actions is to ensure resilience, for instance by offering additional or doubled network connections under application/action ‘State interministerial network’, additional storage and network capacities for ‘police prefecture video protection plan’ and to secure the high voltage power supply of the datacenters under application/action ‘data centre resilience’.

**The Council Implementing Decision required, in line with the qualitative indicator for the milestone, a report to be provided by the French Government providing evidence of completion.**

The French authorities did not submit a report providing evidence of completion of the actions envisaged under this milestone. Instead, they submitted other pieces of evidence listed above and deemed adequate to prove the fulfilment of the milestone. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the evidence provided corroborates the completion of the actions required by the milestone. 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.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 7-24</b>	Related Measure: C7.17 Mobility and teleworking at Ministry of the Interior	
<b>Name of the Milestone:</b> Investment to reinforce the digital connectivity of the Ministry of Interior.		
<b>Qualitative Indicator:</b> Report to be provided by the French Government providing evidence of completion		<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>The objective of this investment is to support a set of measures intended to promote the development of mobility and teleworking within the Ministry of the Interior, and more specifically:</p> <p>The improvement of the digital environment and development of teleworking through the promotion of the development of collaborative work solutions and through the acquisition of teleworking workstations and the implementation of systems allowing teleworking for officials.</p> <p>The first actions related to the Radio network of the future enabling the development of a long-term evolution network for public and private security actors (such as State police, firefighters, emergencies and municipal police).</p> <p>The NEO stations: extend the equipment of the police with 40 000 secure mobile terminals. The terminals and the accompanying application system allow law enforcement officers to carry out actions formerly carried out in professional offices while on mission on the terrain. They thus limit travel for both the agent and the user and ensure better overall efficiency.</p> <p>Milestone 7-24 concerns the completion of the measures to implement the above actions to reinforce digital connectivity of the Ministry of Interior:</p> <ul style="list-style-type: none"> <li>• Improvement of the digital environment and development of teleworking (completion)</li> <li>• NEO stations (completion)</li> <li>• Radio network of the future (first steps).</li> </ul> <p>Milestone 7-24 is the only milestone of this investment.</p>		
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>i. A Summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the CID Annex, with appropriate references to the underlying evidence.</li> </ol>		

- ii. Three lists of all certificates of completion issued in accordance with national legislation, taking the form of the 'certificate of service done' ('procès-verbaux du service fait') grouped by action for the following 3 actions: Improvement of the digital environment and development of teleworking, NEO stations and Radio network of the future, more specifically;
  - a. For the actions 'Improvement of the digital environment' and 'NEO stations': copies of the certificate of completion ('procès-verbaux de service fait') issued in accordance with national legislation for all the planned components of these two actions.
  - b. For the action 'radio network of the future' copies of the certificate of completion ('procès-verbaux de service fait') issued in accordance with national legislation for several components of the action to certify the beginning of the works of the action.

The authorities also provided

- iii. A press kit that indicates the improvements and the developments brought by the 'NEO stations' action (<https://www.gendarmerie.interieur.gouv.fr/gendinfo/actualites/2022/neo-2-une-manaevre-strategique-technologique-et-logistique-d-ampleur>).
- iv. A dedicated website that indicates the improvements and the developments brought by the 'Radio network of the future' action (<https://www.acmoss.fr/>).
- v. Documentation and extracts from de Information System CHORUS that describes:
  - a. for the three actions, the amount of commitment appropriations allocated before the start of their implementation.
  - b. For the two actions 'Improving the digital environment and developing teleworking' and 'NEO posts' the current situation regarding the consumption of the appropriations allocated above at the completion of these two actions.
  - c. For the 'Radio network of the future' action the start of consumption of the allocated appropriations.

**Analysis:**

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

**Completion of the measures to reinforce digital connectivity of the Ministry of Interior:**

**In line with the description of the measure, this investment shall support a set of measures intended to promote the development of mobility and teleworking within the Ministry of the Interior. Three actions shall be implemented:**

**Improvement of the digital environment and development of teleworking (completion)**

**Improvement of the digital environment and development of teleworking: promoting the development of collaborative work solutions, the acquisition of teleworking workstations and the implementation of systems allowing teleworking for officials.**

In the summary document, the French authorities explained that this requirement has been fulfilled as follows:

The improvement of the digital environment for staff and the development of teleworking were

implemented by operations such as risks and security studies and audits dedicated to the development of collaborative work solutions, and through the purchase of NOEMI workstations for Ministry staff. These stations ensure that the data stored and manipulated on the post cannot be accessed, altered, or disseminated by an unauthorised third party (including in the event of loss or theft of the post) and that it remains accessible to the legitimate job holder, including in teleworking or crisis situations. Finally, videoconferencing terminals have also been set up which have also contributed to the facilitation of the development of teleworking within the Ministry.

In line with the Operational Arrangements, to confirm that all the above operations of the action have been implemented and completed, French authorities provided copies of the certificate of completion (evidence ii.a.) for all planned operations (40) that composed the action: 13 certificates confirmed the completion of operations dedicated to the development of collaborative work solutions, 14 certificates confirmed the completion of operations dedicated to the acquisition of teleworking workstations and 13 certificates confirmed the completion of operations dedicated to the implementation of systems allowing teleworking for officials.

In addition, in order to corroborate the completion of the action, documents and extracts from the information system CHORUS (evidence v.a. and v.b.) were also provided that attested the complete consumption of the commitment appropriations allocated to the action.

Consequently, the above evidence provided confirmed that this requirement of the milestone has been met.

#### **Radio network of the future (first steps);**

**The first actions related to the Radio network of the future (namely: access to radio coverage, development and implementation of the integrator, core network, a communication system, development and implementation of gateways and interconnections, management information system, maintenance, integration of the PCSTORM project environment, and associated training and experimentation) enabling the development of a Long Term Evolution network for public and private security actors (such as State police, firefighters, emergencies and municipal police). It shall provide effective and resilient means of communication, allowing an adapted answer to the needs of law enforcement and crisis response.**

In the summary document and a dedicated website (evidence iv.), the French authorities explained and substantiated that this requirement has been fulfilled as follows:

The project 'Radio network of the future' ('Réseau Radio du Futur' (hereinafter referred to as 'Radio Network') is built on a 5G and 4G mobile network infrastructure, based on operator networks, capable of ensuring communication capacity at all times and at all points in the territory for users of the Radio Network and on a prioritised and secure mobile communications service to ensure, through a dedicated application, operational communications between all actors involved in security, relief, crisis management and disaster management (evidence iv.). The Radio Network strategy and its implementation is based on the simultaneous implementation of the three lots of the Radio Network Framework Agreement: Lot 1: network coverage; Lot 2: core network (also a general integrator role); Lot 3: management information system. These three lots are covering all the actions mentioned in the Council Implementing Decision (evidence i). In particular:

- The action 'access to radio coverage' consists in a physical connection of the Orange operator to the Nogent data centre, which allows the traffic (GB, calls, SMS, MMS) of Radio Network users to be routed;

- The action 'development and implementation of the integrator' provides 100 terminals (out of the 500 planned) for users to carry out beta tests to test the functionalities of the Radio Network\_critical communications application, to carry out early work on intra-service and inter-service services and test and validate tones and deployment processes. It also provides collaborative project management tools (JIRA and Confluence).
- The action 'development and establishment of the core network' consists in a purchase, delivery and installation of 125 servers and equipment (out of the 625 planned) and five racks (out of the 25 planned) enabling the network core and its functionalities (EPC/5GC, circuit core, IMS system, service centre, portability management, interception system, CDR management, network mobility management solution, interconnection and roaming services);
- The action 'development and establishment of a communication system' provides the purchase, delivery and installation of ten servers and equipment (out of the 53 planned) enabling Radio Network communications to be carried out;
- The action 'development and implementation of gateways and interconnections' provides the purchase, delivery and installation of 17 servers and equipment (out of the 86 planned) enabling IP services and external gateways (VPN concentrators, authentication server, address management server, DNS server, NTP server, router, firewall, provisioning manager, interconnection routers, internet access gateways), and the purchase of a local wired walkway, local radio gateway and tactical pastoral bridge enabling operational tests to be carried out;
- The action 'maintenance, integration of the PCSTORM project environment' provides for the moment the creation of a Radio Network-STORM interface specification file;
- The action 'development and implementation of the management IT system' consists in the development and implementation of a V0.1 version of the Radio Network\_GIS portal;
- The action 'associated training and experimentation' is launched with the external support for the definition of the Radio Network\_training strategy (including the training plan).

In line with the Operational Arrangements, to confirm that all the above operations of the action have been implemented and completed, French authorities provided copies of the certificate of completion (evidence ii.b.) for all planned operations (51) that composed the launching of the action: five certificates confirmed the completion of operations dedicated to the access to radio coverage action, nine certificates confirmed the completion of operations dedicated to the 'development and implementation of the integrator' action, 16 certificates confirmed the completion of operations dedicated to the 'development and establishment of the core network' action, one certificate confirmed the completion of operations dedicated to the 'development and establishment of a communication system' action, nine certificates confirmed the completion of operations dedicated to the 'development and implementation of gateways and interconnections' action, one certificate confirmed the completion of operations dedicated to the 'maintenance, integration of the PCSTORM project environment' action, nine certificates confirmed the completion of operations dedicated to the 'development and implementation of the management IT system' and one certificate confirmed the completion of operations dedicated to the 'associated training and experimentation' action.

In addition, in order to corroborate the completion of the action, documents and extracts from the information system CHORUS (evidence v.a. and v.c.) were also provided that attested the consumption of the commitment appropriations allocated to the action.

Consequently, the above evidence provided confirmed that this requirement of the milestone has

been met.

**NEO stations (completion).**

**NEO stations: extend the equipment of the police with 40 000 secure mobile terminals. The terminals and the accompanying application system allow law enforcement officers to carry out actions formerly carried out in professional offices while on mission on the terrain. They thus limit travel for both the agent and the user and ensure better overall efficiency.**

In the summary document (evidence i.) and in the press kit (evidence iii.), the French authorities explained and substantiated that this requirement has been fulfilled as follows:

The project 'NEO stations' allows law enforcement officers to carry out, on a mobility basis, actions previously carried out in the professional premises. They thus limit travel for both the staff member and the user and ensure greater overall efficiency\_(evidence iii.). The investment has financed the purchase of 120 000 SD cards, which are essential components for the expected operation of the telephone. A terminal is qualified as 'NEO' if it is equipped with this SD card. Access to applications, which was previously possible only from a computer, also becomes possible in mobility. As a consequence, the extension of a NEO fleet by additional 40 000 NEO terminals has been reached.

In line with the Operational Arrangements, to confirm that all the above operations of the action have been implemented and completed, French authorities provided three certificates of completion (evidence ii.a) that confirmed the purchase of 120 000 SD cards.

Moreover, in order to corroborate the completion of the action, documents and extracts from the information system CHORUS (evidence v.a. and v.b.) were also provided that attested the complete consumption of the commitment appropriations allocated to the action.

Consequently, the above evidence provided confirmed that this requirement of the milestone has been met.

**The Council Implementing Decision required, in line with the qualitative indicator for the milestone, a report to be provided by the French Government providing evidence of completion.**

The French authorities did not submit a report providing evidence of completion of the actions envisaged under this milestone. Instead, they submitted other pieces of evidence listed above and deemed adequate to prove the fulfilment of the milestone. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the evidence provided corroborates the completion of the actions required by the milestone. 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.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-9	Related Measure: C8.I2: Reskilling through dual training programmes (Pro A)
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<b>Name of the Target:</b> Employees benefitting from the Pro-A programme			
<b>Quantitative Indicator:</b> Number of recipients	<b>Baseline:</b> 0	<b>Target:</b> 9 000	<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>In the context of major changes in the labour market, the Pro-A programme enables employees with insufficient qualifications to change profession through a dual training (Pro-A), leading to a professional certification. The employee alternates between training in a formal setting delivered by a training body, and a professional activity in a company.</p> <p>Target 8-9 is the only target of the investment C8.I2 (Reskilling through dual training programmes Pro-A) and aims to finance the professional transition for 9 000 beneficiaries between 2021 and 2023.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. Summary document duly justifying how the target was satisfactorily fulfilled.</li> <li>ii. Annex 1: a list of recipients, including all the employees participating to a Pro-A training (from columns D to G); the expected duration of the training (column K); reference to the type of certificate (column M); and the name of the company (column B).</li> </ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"> <li>iii. Annex 2: Decree No. 2020-262 of 16 March 2020 published in the Official Journal No. 0066 on 17 March 2020, related to the implementation and the financing of professional change or promotion through work-study programmes (<i>Décret n°2020-262 du 16 Mars 2020 relatif à la mise en oeuvre et au financement de la reconversion ou promotion par alternance</i>).</li> </ul> <p>In the context of the sampling analysis, additional evidence was provided for a sample of 60 units including:</p> <ul style="list-style-type: none"> <li>iv. Cerfa Pro-A: regulated administrative form signed by the employee and the employer, as an annex to the work contract, indicating the professional reconversion or professional promotion (reskilling) through the dual training 'Pro-A'.</li> <li>v. The extension Order relating to the corresponding Pro-A sector of the employee (<i>l'arrêté d'extension de l'accord de branche relatif à la Pro-A concernée</i>)</li> <li>vi. Grant agreement from the skills operator in charge of the corresponding Pro-A (<i>Accord de prise en charge par l'OPCO</i>)</li> </ul>			
<p><b>Analysis:</b></p> <p>The justification and substantiating evidence provided by the French authorities covers all</p>			

constitutive elements of the target.

**Number of employees (9 000) participating in reskilling through dual training programmes (Pro-A)**

France has provided a list of 9 549 employees participating in reskilling through the dual training programme Pro-A (evidence ii), for a target of 9 000 employees. This list includes the expected duration of the training (column K), the reference to the type of certificate (column M), and the name of the company (column B).

**Furthermore, in line with the description of the measure, the employee alternates between a formal setting delivered by a training body and a professional activity in a company. The duration of the training is from 6 to 12 months (possibly extended to 24 months for certain qualifications and targeted populations).**

For a sample of 60 units, France has provided for each employee a regulated administrative form, called *cerfa Pro-A* (evidence iv), signed by the employee and the employer, and indicating the professional reconversion or professional promotion (reskilling) through the dual training 'Pro-A'. The *cerfa Pro-A* (evidence iv) includes the name of the employer, the sector of professional activity of the training, the type of the targeted Pro-A (reconversion or promotion), the starting and ending date of the professional activity, and the skills operator in charge. The *cerfa pro-A* (evidence iv) also indicates the training body and the type of training targeted, proving that the employee alternates between a formal setting delivered by a training body and a professional activity in a company. All the information provided in each *cerfa Pro-A* received (evidence iv) correspond to the information provided in the list of employees participating in reskilling through the programme Pro-A (evidence ii) from which the sample of 60 units has been randomly selected. Furthermore, each extension Order received (evidence v) correspond to the one regulating the sector of activity of the employee, as described in the *cerfa Pro-A* (evidence iv) and the list of recipients (evidence ii).

Therefore, the evidence provided for a sample of 60 units confirmed that this requirement of the target has been met.

**The skills operator may cover part or all of the training costs, transport and accommodation costs, as well as the employee's remuneration during the Pro-A programme.**

For a sample of 60 units, France has provided for each employee a grant agreement (evidence vi) from the skills operator in charge of the corresponding Pro-A, which attests the part of the training costs covered. This grant agreement (evidence vi) includes the name of the employee, the name of the company in which the training takes place, the title of the training and the dates of contract. All the information provided in each grant agreement received (evidence vi) coincide with the information provided in the corresponding *cerfa Pro-A* (evidence iv).

Therefore, the evidence provided for a sample of 60 units confirmed that this requirement of the target has been met.



**Commission Preliminary Assessment:** Satisfactory fulfilled

<b>Number:</b> 8-13	Related Measure: C8.I6: Creation of jobs for youth in the sports sector		
<b>Name of the Target:</b> Jobs created in the sports sector which benefit from a subsidy			
<b>Quantitative Indicator:</b> Number of beneficiaries	<b>Baseline:</b> 0	<b>Target:</b> 2 200	<b>Time:</b> Q3 2023
<p><b>Context:</b></p> <p>The objective of this investment is to provide financial support for up to two years upon creation of a job in the sports sector, aimed at employing youth under 30. It supports the creation of permanent and non-relocatable jobs, helping youth enter durably the labour market, all while promoting health and exercise opportunities for the general population.</p> <p>Target 8-13 requires that 2 200 jobs created in the sports sector benefit from a subsidy.</p> <p>Target 8-13 is the only target of this investment.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>i. <b>Summary document</b> duly justifying how the target was satisfactorily fulfilled.</li> <li>ii. <b>Annex 1: List of hiring subsidies for jobs created in the sports sector</b> (in short: List of hiring subsidies) compiled by the National Sport Agency based on data extracted from the OSIRIS information system used to manage subsidies. The file includes the unique identifier and reference of the subsidy (column A and B), the name, location and other characteristics of the sport organisation receiving the subsidy (column C to N), the date of birth of the person hired (column P), the date the contract was signed (column Q), and the type of contract (column S).</li> </ol> <p>In the context of the sampling analysis, evidence was supplied for a sample of 60 units, including:</p> <ol style="list-style-type: none"> <li>iii. The work contract signed by both parties.</li> <li>iv. Evidence showing that the organisation has the intention to maintain the job beyond the end of the fixed term contract (only for fixed term contracts).</li> <li>v. The first pay sheet received under the work contract signed (evidence iii).</li> <li>vi. The application form for the subsidy (formulaire CERFA).</li> <li>vii. The extract of the official registry of companies (Sirene) indicating the status and activity code of the organisation having received the subsidy.</li> </ol> <p>The authorities also provided</p> <ol style="list-style-type: none"> <li>viii. The link to the web page describing the <a href="https://travail-emploi.gouv.fr/emploi-et-insertion/emploi-et-handicap/emploi-accompagne">https://travail-emploi.gouv.fr/emploi-et-insertion/emploi-et-handicap/emploi-accompagne</a></li> <li>ix. Note n°2021-DFT-01 of 11 February 2021 concerning the policy in favour of the territorial sports projects in 2021 (politique de l'agence en faveur des projets sportifs territoriaux pour</li> </ol>			

l'année 2021)

- x. Note n°2022-DFT-01 of 14 February 2022 concerning the policy in favour of the territorial sports projects in 2022 (politique de l'agence en faveur des projets sportifs territoriaux pour l'année 2022)

**Analysis:**

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

**Number of jobs created in the sports sector which benefit from a subsidy. Furthermore, in line with the description of the measure, this measure provides financial support for up to two years upon creation of a job in the sports sector, aimed at employing youth under 30. This measure supports the creation of permanent and non-relocatable jobs, helping youth enter durably the labour market, all while promoting health and exercise opportunities for the general population.**

France provided a list of 2 214 hiring subsidies (see evidence ii) with information on the sport organisation benefiting from the subsidy, the date when the work contract was signed, the date of birth and the age of the person hired at the time the contract was signed, and the type of contract (open ended or fixed term). The evidence provided for a sample of 60 units confirmed that the requirements of the target have been met. The analysis of the sample confirmed that the information contained in the List of hiring subsidies (see evidence ii) is valid and that all subsidies have been granted to sports organisation to hire people below 30, as per the date of birth and date of signature of the work contract (see evidence iii)

The evidence provided for a sample of 60 units confirmed that the subsidies were granted for a maximum of two years, as none of the requests for subsidy exceeded two years (see evidence vi).

According to the list of hiring subsidies (see evidence ii, columns H and I), all the recipients of the hiring subsidies are sports organisations. The analysis of the extract of the official registry of companies (see evidence vii) provided for the sample of 60 units confirms that the recipients are operating in the sports sector.

The analysis of the evidence provided for the 60 randomly selected files confirms that the subsidies were used to create jobs in relation to the development of the organisation. For all sampling units reviewed, section 6 of the request for subsidy (see evidence v) provided details of the new position to be created, linked to the development of existing or new activities. For all sampling units reviewed, the description of tasks and responsibilities in the work contract (see evidence iii) corresponded to the development needs of the organisation.

All contracts listed in the list of hiring subsidies (see evidence ii) were signed when the person hired was less than 30, as evidenced by the date of birth and the date of signature of the contract. The analysis of the work contracts (see evidence iii) provided for the 60 randomly selected subsidies confirmed this information.

The measure supports the creation of permanent and non-relocatable jobs. In line with the description of the scheme as presented in the original RRP submitted by France, this is to be understood as support to the recruitment of employees able 'to carry out new projects and reinforce

the economic model of the organisation'. For 70% of the entries in the list of hiring subsidies (see evidence ii) this translated into open-ended contracts (CDI in column S). For other, often smaller structures with less predictable financial positions, the new jobs were created using fixed term contracts, in relation to development activities which lead the organisation to either renew the contract or request new subsidies to be able to maintain the job. The analysis of the work contracts (see evidence iii) provided for a sample of 60 confirmed this analysis. It showed that the information on the type of contracts in the list of hiring subsidies (see evidence ii) was valid, except for one case where the contract in the sample was open-ended, while it was registered as fixed term in the list of hiring subsidies. This was considered acceptable since an open-ended contract is a sustainable form of contract. In addition, the detailed analysis of the 13 fixed term contracts included in the sample showed that the organisation intended to maintain the job in relation to the new activities put in place, provided that sufficient resources were available. Nine contracts had a duration of nine months to two years, and four contracts had a duration of six months or less because they covered seasonal activities (e.g. outdoor sports activities). For these contracts, evidence that the contract was renewed, or new requests for subsidies for the years following the end of the first contract demonstrated the continuous need for the job created.

The analysis of section 6. '*Projet - Objet de la demande*' of the requests for subsidies (see evidence v) provided for a sample of 60 units showed that the jobs were created in the context of development plans responding to new needs identified as local and permanent. The development plans were notably targeted at specific local areas (such as deprived areas), or outreach activities to attract a new public (such as girls, people with disabilities, elderly). All jobs were created in local organisations operating at the local level with no possibility to relocate the jobs created.

The measure helped promoting health and exercise opportunities for the general population. The analysis of section 6. '*Projet - Objet de la demande*' of the requests for subsidies (see evidence v) and of the description of tasks and responsibilities in the work contract (see evidence iii) provided for a sample of 60 units showed that the jobs created contributed to provide new opportunities to practice sports and health enhancing activities for the general population.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-14	Related Measure: C8.I7: Boarding schools for excellence		
<b>Name of the Target:</b> Places either built or renovated			
<b>Quantitative Indicator:</b> Number of beneficiaries	<b>Baseline:</b> 0	<b>Target:</b> 1 500	<b>Time:</b> Q3 2023
<b>Context:</b>			
The objective of this investment is to provide financial support for the modernisation of boarding schools for excellence to reinforce their attractiveness. Boarding schools for excellence aim to provide students, in particular those from disadvantaged backgrounds, with an environment better suited to learning, developing their skills and broadening their educational aspirations.			
Target 8-14 requires the renovation or creation of 1 500 places in boarding schools for excellence.			
Target 8-14 is the only target of this investment.			

**Evidence Provided:**

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

- i. Summary document duly justifying how the target was satisfactorily fulfilled.
- ii. Annex 1: List of boarding schools having benefited from the renovation or building of places compiled by the Directorate General in charge of School Education (DGESCO) in the Ministry of Education based on data extracted from the dedicated monitoring tool for the measure (tableau de pilotage des conventions). The file includes the name and address of the schools (columns B to E), indicators related to the socio-economic background of the students (columns L and N), the date of the certificates of completion and the numbers of places renovated or created (column P).

The authorities also provided for each of the establishments listed in evidence ii:

- iii. Funding agreement associated with each operation and, where applicable, amendments to these agreements;
- iv. The 'end of work' certificate (operation report) associated with each project delivered, signed by the local authority managing the project;
- v. Certificate signed by the rector of the academy certifying the number of places actually created or rehabilitated.

The authorities also provided:

- vi. Annex 2: official list of all establishments awarded with the label 'boarding schools of excellence', also publicly available on the official website: <http://education.gouv.fr> « Vivre sa scolarité dans un internat d'excellence ».

**Analysis:**

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

**Number of places either built or renovated in 'Boarding schools for excellence'.**

**Furthermore, in line with the description of the measure, this measure shall finance the renovation or creation of 1500 places in boarding schools for excellence by the end of December 2023.**

France provided a list of 25 establishments labelled 'boarding schools for excellence' having built or renovated a total of 2 200 places altogether. However, five establishments were excluded from the analysis because the evidence provided showed that the works started before 1/2/2020. The analysis therefore covers 20 establishments in which 1 737 places have been built or renovated. All establishments are listed in the official list of 'boarding schools for excellence' as per evidence vi Annex 2 and the official website: <http://education.gouv.fr> « Vivre sa scolarité dans un internat d'excellence ».

For 17 establishments, the number of places created or renovated specified in the 'end-of-work

certificate' signed by the local authority managing the project (see evidence iv), and in the certificate signed by the 'rector of academy' (see evidence v) both corresponded to the figures provided in column P of the list of beneficiaries (see evidence ii). For three establishments, the certificate signed by the 'rector of academy' (see evidence v) corresponded to the data in the list of beneficiaries, but the 'end-of-work certificate' showed slightly different figures. In those cases, we retained the lowest figure of the two documents in order to take a conservative approach.

The 'end of work' certificates of the 20 schools were all signed by the project owners (local authorities) and verified and validated by the 'rector of academy' before the end of December 2023.

**Furthermore, in line with the description of the measure, renovation shall contribute to the modernisation of these facilities, reinforcing the attractiveness of these educational opportunities.**

According to the funding agreements signed for each of the establishments (see evidence iv), the projects benefiting from the measure were selected based on several criteria, including the 'quality and relevance of the educational project and the quality of the construction / renovation project', which indicates that the works contributed to the modernisation of the boarding schools and to their attractiveness.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-23	Related Measure: C8.I16 Extension of the 'guided employment' plan for persons with disabilities	
<b>Name of the Milestone:</b> Full deployment of the extension of the 'accompanied employment' plan		
<b>Qualitative Indicator:</b> Report evidencing completion		<b>Time:</b> Q2 2023
<p><b>Context:</b></p> <p>The measure finances the extension of the supported employment scheme, which provides individualised guidance to persons with disabilities to help devise a tailored project, based on the 'place and train' approach. The intensity of the support may vary from two hours per month to over twelve hours per month, depending on the needs. The support scheme builds on four modules consisting of an evaluation of the worker's and employer's needs; the elaboration and implementation of a professional project; job search assistance; and support during employment by a trained job coach (access to training, adaptation of the workplace and of working conditions). The number of beneficiaries shall be reported upon ex post, once the extension has been fully implemented.</p> <p>Milestone 8-23 provides for a full deployment of the extension of the 'guided employment' plan supporting people with disabilities.</p> <p>Milestone 8-23 is the only milestone of this investment.</p>		
<b>Evidence Provided:</b>		
In line with the verification mechanism set out in the Operational Arrangements, the following		

evidence was provided:

- i. Summary document duly justifying how the milestone was satisfactorily fulfilled.
- ii. Annex 1: 'operational report' documenting the extension of the 'guided employment' plan for persons with disabilities (*'Rapport d'exécution d'une mesure mise en œuvre au titre de la Facilité de Relance et de Résilience'*), including aggregate data on the number and breakdown of recipients (field of employment, duration of guidance) and evidence of the full budgetary deployment. The report is also published at the following links: <https://travail-emploi.gouv.fr/emploi-et-insertion/emploi-et-handicap/emploi-accompagne> or <https://travail-emploi.gouv.fr/IMG/pdf/rapport-extension-exceptionnelle-emploi-accompagne-france-relance-mars-2024.pdf>

The authorities also provided:

- iii. The link to Article D5213-89 of the Labour Code describing the eligibility conditions to benefit from the 'guided employment scheme' for persons with disabilities. [Article D5213-89 - Code du travail - Légifrance \(legifrance.gouv.fr\)](#).
- iv. The link to Article D5213-90 of the Labour Code describing the modalities of the 'guided employment scheme' for persons with disabilities. [https://www.legifrance.gouv.fr/codes/article\\_lc/LEGIARTI000034369208](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000034369208)
- v. The link to the Annual performance report (RAP) for the funding area 'France Relance' annexed to the draft law on the implementation and approval of the accounts of the annual budget law (*'Rapport annuel de performance annexé au projet de loi de règlement du budget et d'approbation des comptes pour la mission France Relance'* for the 2021 budget <https://www.budget.gouv.fr/documentation/documents-budgetaires/exercice-2021/projet-de-loi-de-reglement/budget-general/plan-de-relance> and p. 150-151 <https://www.budget.gouv.fr/documentation/file-download/15553> (published on 5 July 2022);
- vi. The link to the Annual performance report (RAP) for the funding area 'France Relance' annexed to the draft law on the implementation and approval of the accounts of the annual budget law (*'Rapport annuel de performance annexé au projet de loi de règlement du budget et d'approbation des comptes pour la mission France Relance'* for the 2022 budget <https://www.budget.gouv.fr/documentation/documents-budgetaires/exercice-2022/projet-de-loi-de-reglement/budget-general/plan-de-relance> and p. 137 of <https://www.budget.gouv.fr/documentation/file-download/20220> (published on 21 April 2023).
- vii. The link to the Decree (arrêté) of 18 February 2021 setting the amounts allocated to the 'Regional Health Agencies' (ARS) in the context of the 'Intervention Regional Fund' (FIR), including those dedicated to the measure 'guided employment': [Légifrance - Publications officielles - Journal officiel - JORF n° 0044 du 20/02/2021 \(legifrance.gouv.fr\)](#) for 2021.
- viii. The link to the Decree (arrêté) of 17 February 2022 setting the amounts allocated to the 'Regional Health Agencies' (ARS) in the context of the 'Intervention Regional Fund' (FIR), including those dedicated to the measure 'supported employment' et [Légifrance - Publications officielles - Journal officiel - JORF n° 0044 du 22/02/2022 \(legifrance.gouv.fr\)](#) for 2022.
- ix. File *'tableau de suivi DAMAas 2021 2022 2023'* containing extracts from the DAMAas information system managed by the French Collective promoting Supported Employment

(CFEA - Collectif France pour la Recherche et la Promotion de l'Emploi Accompagné) and used by the Directorate General for social cohesion to monitor the scheme ('*tableau de suivi DAMAas 2021 2022 2023*').

- x. 2021 report on the monitoring and evaluation of the supported employment scheme on 31 December 2020 ('*Emploi accompagné : Suivi et évaluation du dispositif au 31 décembre 2020*').
- xi. Link to the web page describing the scheme: [Qu'est-ce que le dispositif d'emploi accompagné des travailleurs handicapés ? | Service-Public.fr.](https://www.service-public.fr)

#### **Analysis:**

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

#### **Full deployment of the extension of the 'accompanied employment' plan supporting persons with disabilities.**

**Furthermore, in line with the description of the measure, this measure shall finance the extension of the support scheme.**

France provided the report documenting the extension of the 'guided employment' scheme for persons with disabilities (see evidence ii) of the directorate general for social cohesion in the ministry of solidarity and families in charge of the implementation of the measure which was published on 9 April 2024 on the Ministry's website. It contains information extracted from official annual reports on budgetary implementation demonstrating the deployment of the additional EUR 15 million budget allocated to the 'guided employment scheme' for the years 2021 and 2022, in the context of the French recovery plan 'France Relance'. It also contains aggregate data demonstrating the significant increase (more than 50%) in the number of beneficiaries observed between December 2020 and December 2022. The data is extracted from the dedicated information system DAMAaS used for the monitoring of the scheme. The report also contains a description of the scheme, with the relevant links to the legislation that established it, namely Article D5213-89 and D5213-90 of the Labour Code describing the eligibility conditions and modalities of 'guided employment scheme' for persons with disabilities (see evidence iii and iv).

According to the 2021 and 2022 annual performance reports annexed to the draft law on the implementation and approval of the accounts of the annual budget law (evidence v and vi), EUR 15 million have been allocated in commitments ('*autorisations d'engagement*' and payment credits ('*crédits de paiement*')) to the measure 'guided employment' scheme under the programme 364 'cohesion' under the 'France Relance' chapter. These 'annual performance reports' are the official reports to the Parliament on the implementation of the annual budget law, based on which the Parliament approves the annual accounts.

EUR 7.5 million were paid in 2021 and allocated to the Regional Health Agencies (ARS) (see evidence v). EUR 7.5 million were paid in 2022 and allocated to the Regional Health Agencies (ARS) (see evidence vi). The decrees of 18 February 2021 and of 17 February 2022 allocating the amounts to the Regional Health Agencies (see evidence vii and viii) clarify in annex 1 that these payment credits are 'sanctuaried' (footnote 3, annex 1) and therefore cannot be used on any other action than the one specified in the decree, that is the 'guided employment scheme'. The payment to the Regional Health

Agencies therefore constitutes evidence of the full budgetary deployment of the extension of the 'guided employment' scheme under 'France Relance'.

The EUR 7.5 million paid in 2021 came in addition to the EUR 14.8 million already allocated to the scheme under programme 157 'disability and dependency' (*'Handicap et dépendance'*) managed by the Ministry of Solidarities and Health (MSS) (see evidence v, p. 150). The EUR 7.5 million paid in 2022 came in addition to the EUR 14.6 million already allocated to the scheme under programme 157 managed by the Ministry of Solidarities and Health (MSS) (see evidence vi, p. 137). These additional payment credits therefore constitute a budgetary extension of the 'supported employment' scheme.

**Furthermore, in line with the description of the measure, while the number of beneficiaries is not known upfront, due to significant variations in the level of support provided, it shall be reported upon ex post, once the extension has been fully implemented.**

Evidence provided from the French authorities in Annex 1: 'operational report' documenting the extension of the 'guided employment' plan for persons with disabilities (evidence ii, p. 13) confirms that the 'supported employment scheme' supported 5 552 persons on 31 December 2022, compared to 3463 in June 2021, representing a 60% increase over the period. The data presented in 'Annex 1: operational report' (evidence ii) is based on the file *'tableau de suivi DAMAAs 2021 2022 2023'* (evidence ix) extracted from the dedicated monitoring tool DAMAAs, developed in 2021 and managed by the French Collective promoting Supported Employment (CFEA - *'Collectif France pour la Recherche et la Promotion de l'Emploi Accompagné'*). On 26 March 2024, the French authorities (CFEA database manager) performed an online demonstration of the DAMAAs tool, allowing Commission services to verify that the file *'tableau de suivi DAMAAs 2021 2022 2023'* contains data duly extracted from the DAMAAs monitoring tool. The file builds on the quarterly safeguards carried out by the CFEA for monitoring purposes, these quarterly safeguards are snapshots of the situation of recipients at the end of each quarter. On 31 December 2020, 3695 persons had received support from the 'supported employment scheme', as indicated on page 7 of the '2021 report on the monitoring and evaluation of the supported employment scheme on 31 December 2020' (evidence x). This figure over-estimates the number of recipients in the base line year 2020 because the scope of the data reported in December 2020 is broader than the data reported in Annex 1: 'operational report' which focuses on people having received at least two hours of support (in line with the CID description). It can therefore be concluded that the number of recipients of the supported employment scheme significantly increased (by 50% or more) between 31 December 2020 and 31 December 2022.

**Furthermore, in line with the description of the measure, the 'Guided employment' support scheme consists in providing individualised guidance to persons with disabilities to help devise a tailored project, based on the 'place and train' approach. Both the employer and employee may be supported over the medium-term, based on the intensity of the needs (from two hours per month to over twelve hours per month for the most intensive phases).**

**This support scheme is articulated through four distinct modules which may be adapted to the individual situation:**

- a) Evaluation of the situation of the worker with a disability, taking into account his professional project, his abilities and needs, as well as, if relevant, the needs of the employer**
- b) Elaboration of the professional project and assistance in its implementation with a view to rapidly integrating employment in a standard working environment**



**c) Assisting the beneficiary in finding employment**

**d) Support during employment, to facilitate access to trainings, as well as skills assessments and where necessary providing intermediation with the employer to adapt the working conditions and environment to specific needs. The support is mainly provided by a trained job coach, who acts as reference point for the employee and employer.**

These modalities are specified in Article D5213-90 of the Labour Code (see evidence iv) and in the web page describing the scheme Information on the intensity of the support is extracted from the monitoring tool DAMAaS (evidence ix), which indicates that **62%** of the participants benefited from two to eight hours of support per month, **28%** of the participants benefited from eight to twelve hours of support per month and **10%** of the participants benefited from more than twelve hours of support per month. These percentages could be verified on the basis of the file '*tableau de suivi DAMAAs 2021 2022 2023*' (evidence ix), using the categories in column V '*Niveau soutien apporté*'. The data presented in Annex 1 'operational report' (evidence ii) refers to recipients having received at least two hours of support per month, as per the CID description. The monitoring tool also includes information related to recipients having received lighter forms of support (less than 2 hours per month), or whose file has been paused for various reasons. This restricted scope may explain differences in the data presented in 'Annex 1: operational report' (evidence ii) and data from other monitoring reports produced in other contexts.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-24	Related Measure: C8.I17: Distance training courses		
<b>Name of the Target:</b> Entries into distance training courses			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 30 000	<b>Time:</b> Q4 2023
<b>Context:</b> The objective of this investment is to finance the opening of entries into distance training courses organised by the national employment agency, Pôle Emploi. Target 8-24 requires 30 000 entries into distance learning courses. Target 8-24 is the only target of this investment.			
<b>Evidence Provided:</b> In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided: <ul style="list-style-type: none"><li>i. A summary document duly justifying how the target was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.</li><li>ii. A list of entries into distance learning courses (jobseekers) prepared by the General Direction for Labour and Professional Training (<i>Direction générale à l'emploi et à la formation professionnelle – DGEFP</i>) and extracted from the Pôle Emploi 'SISP application' (decisional IT system collecting data from several IT systems concerning registrations, remuneration, training). The spreadsheet includes, for each jobseeker benefiting from the measure: the</li></ul>			

national identifier (column A), the name and forename of the jobseeker (columns B and C), the name of the training (column F), the training organisation and its SIRET number (columns G and H), the date of registration of the date of registration to Pôle Emploi of the jobseeker (column I), the dates of start and end of the training (columns J and K) and the source of remuneration (column M).

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

- iii. Registration certificate (*'Attestation d'inscription'*) confirming registration period with Pole Emploi and national identifier.
- iv. Database extract (*'Ecran information personnelle'*) of the Pôle Emploi AUDE IT system showing the jobseeker periods of registration with Pôle Emploi.
- v. Database extract (*'EFO3'*) of the Pôle Emploi AUDE IT system showing the registration to the distance learning course.
- vi. Database extract (*'SI Convention'*) of the AUDE Formation IT system showing the name and reference of the learning course and the delivery method.

The authorities also provided:

- vii. Copy of the Pôle Emploi administrative council decision (*délibération*) No. 2008/04 of 19 December 2008 and published in the Pôle Emploi official bulletin No. 1 of 19 December 2008.
- viii. Copy of the Pôle Emploi administrative council decision (*deliberation*) No. 2023/16 of 26 April 2023 and published in the Pôle Emploi official bulletin No. 23 of 27 April 2023.

#### **Analysis:**

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

#### **Number of entries into distance learning courses as proposed by Pôle Emploi.**

**Furthermore, in line with the description of the measure, this investment shall finance the opening of an additional 30 000 distance training courses organised by the national employment agency, Pôle Emploi.**

France provided a list of 41 140 entries into distance learning courses proposed by Pôle Emploi (evidence ii) for a target of 30 000 (overachievement). This list specifies the date of registration at Pôle Emploi of the jobseekers having registered to the distance learning course, the name of the distance learning course and of the training organisation, as well as the date of start and end of the training.

The evidence provided for a sample of 60 units confirmed that this requirement of the target has been met. The analysis of the registration certificate (evidence iii) and extract from the database of the Pôle Emploi AUDE IT system (screenshot) showing the registration(s) period(s) of the jobseeker with Pôle Emploi (evidence iv) confirmed that all entries into distance learning courses for these 60 units were by jobseekers registered with Pôle Emploi. The date of the registration to Pôle Emploi as a jobseeker – which France explains was an eligibility criterion to register to the training courses – was always prior to the registration of the jobseeker to the distance learning course shown in the screenshot of the Pôle Emploi AUDE IT system (evidence v).

The Council Implementing Decision states that the entries into learning are for distance training courses. The extract for the sample of 60 units of the database from the AUDE Formation IT system indicating the name and reference of the learning course and the delivery method (evidence vi) confirms that every learning course is delivered online. Some courses also include, on top of the online hours, a practical element done through in-company hours. This is due to their nature, for the practical implementation of skills and knowledge gained through the online hours of training, including to carry out tutored activities and to evaluate the jobseeker's practice. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

**Furthermore, in line with the description of the measure, the measure is also expected to include remuneration over the whole duration of the training, estimated to eight months on average, for an estimated 42% of the participants.**

The Pôle Emploi training allowance (*rémunération des formations de Pôle emploi (RFPE)*), is an allowance allocated directly by Pôle Emploi to jobseekers which ensures the remuneration of training by jobseekers who do not have access to the unemployment allowances provided by the national unemployment system. Other participants of the training also receive a remuneration, provided through the national unemployment system.

France provided a copy of the Pôle Emploi administrative council decision No. 2008/04 of 19 December 2008 which established the Pôle Emploi training allowance. This document states, under Article 1 of Annexe 5 concerning the Pôle Emploi training allowance (page 19), that a remuneration can be provided to jobseekers registered [with Pôle Emploi] to ensure an income for the whole duration of their training. France also provided a copy of the latest Pôle Emploi administrative council decision No. 2023-16 of 26 April 2023 which also confirms under Article 1 of the decision related to the Pôle Emploi training allowance (page 6) that a remuneration can be provided to jobseekers registered [with Pôle Emploi] to ensure an income for the whole duration of their training. Article 2 of both documents clarifies eligibility and states that jobseekers undertaking a Pôle Emploi training and not receiving unemployment allowances are eligible for the Pôle Emploi training allowance.

The list of entries into distance learning courses provided by the French authorities (evidence ii) confirms that according to the information reported in column M (source of remuneration), 51% of entries into distance learning were remunerated by the Pôle Emploi training allowance. According to the information reported in columns J and K (start and end of the training), the training duration was on average eight months and a half.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 8-30	Related Measure: C8.I21: Increase in the resources of France Compétences		
<b>Name of the Target:</b> Additional apprenticeship contracts signed			
<b>Quantitative Indicator:</b> Number of recipients	<b>Baseline:</b> 302 619	<b>Target:</b> 462 619	<b>Time:</b> Q4 2023
<b>Context:</b>			

The measure aims to increase the resources of *France Compétences*, the national authority responsible for the regulation and financing of apprenticeships and professional training. Due to fewer resources linked to the economic crisis, additional one-off support was necessary for *France Compétences* to be able to respond to the highly increased demand in apprenticeships.

Target 8-30 is the final step of the investment C8.I21. It follows the milestone 8-29 related to the signature of the agreement between France and *France Compétences* to increase the financial resources of *France Compétences* by €750 000 000. This milestone was part of the first payment request and was completed in Q1 2021. Target 8-30 requires 160 000 additional apprenticeship contracts signed between 2021 and 2023, as compared with the 2019 baseline (302 619).

**Evidence Provided:**

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

- i. Summary document duly justifying how the target was satisfactorily fulfilled.
- ii. Annex 1: list of apprentices from 2019, used as a baseline.
- iii. Annex 2: Presentation of the list of apprentices from 2021, 2022 and 2023.

The authorities also provided:

- iv. Annex 2.1: list of apprentices from 2021, including the number of contract (column A), the ID number (SIRET) of the employer (column B), the dates of conclusion, start, and end of contract (columns H, I and J), as well as the name of the skills operator (OPCO) in charge (column O).
- v. Annex 2.2: list of apprentices from 2022, including the number of contract (column A), the ID number (SIRET) of the employer (column B), the dates of conclusion, start, and end of contract (columns H, I and J), as well as the name of the skills operator (OPCO) in charge (column O).
- vi. Annex 2.3: list of apprentices from 2023, including the number of contract (column A), the ID number (SIRET) of the employer (column B), the dates of conclusion, start, and end of contract (columns H, I and J), as well as the name of the skills operator (OPCO) in charge (column O).

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

- vii. Cerfa: regulated administrative form signed by the employee and the employer, as a dematerialised form of the work contract.
- viii. Grant agreement from the skills operator in charge of the corresponding Pro-A (*Accord de prise en charge par l'OPCO*).

**Analysis:**

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

**Number of additional apprenticeship contracts signed between 2021 and 2023 (+160 000 as**

**compared with the 2019 baseline).**

France has first provided the list of apprenticeship contracts from 2019 (evidence ii), as a baseline. This list counts a total of 302 619 recipients. France has also provided three lists of apprenticeship contracts, respectively from 2021, 2022 and 2023 (evidence iv, v, vi). These lists count a total of 1 356 915 beneficiaries from 2021 to 2023, for a target of 160 000 additional contracts from the 2019 baseline. These lists include the number of contract (column A), the ID number (SIRET) of the employer (column B), the dates of conclusion, start, and end of contract (columns H, I and J), as well as the name of the skills operator (OPCO) in charge (column O).

For a sample of 60 units, France has provided for each employee a regulated administrative form, as a dematerialised form of the work contract, called *cerfa* (evidence vii), signed by the employee and the employer. These *cerfa* (evidence vii) include the name of the employee, the name of the employer, the tutor in charge, the title of the apprenticeship, and the starting and ending date of the apprenticeship. All the information provided in each *cerfa* received (evidence vii) correspond to the information provided in the lists of apprenticeships (evidence iv, v and vi) from which the sample of 60 units has been randomly selected.

Therefore, the evidence provided for a sample of 60 units confirmed that this requirement of the target has been met.

**These additional apprenticeship contracts are reported by the skills operator (OPCO)**

For each employee, France has provided a grant agreement from the skills operator in charge of the apprenticeship contract, which attests of the amount of training costs covered. This grant agreement includes the name of the employee, the name of the company in which the apprenticeship takes place, the title of the apprenticeship and the dates of contract. All the information provided in each grant agreement received (evidence viii) coincide with the information provided in the corresponding *cerfa* (evidence vii).

Therefore, the evidence provided for a sample of 60 units confirmed that this requirement of the target has been met.

**Commission Preliminary Assessment:** Satisfactorily fulfilled.

<b>Number:</b> 9-2	Related Measure: C9.R1 National Strategy for the transformation of the Health System		
<b>Name of the Target:</b> Credit commitment rate for the upgrading of human resources in health			
<b>Quantitative Indicator:</b> Percentage	<b>Baseline:</b> -	<b>Target:</b> 90%	<b>Time:</b> Q4 2023
<b>Context:</b> This reform aims at better organising the health system at local level, in particular by setting up new local health structures with the objective of a better coordination between care segments (such as the			

territorial professional health care communities).

The measure covers two important steps of the national strategy 'My Health 2022', namely the 'Health Ségur plan' adopted in July 2020 and the law to simplify hospital governance (Law n°2021-502 of 26 April 2021).

Target 9-2 concerns the credit commitment rate for the upgrading of human resources in health (90%), which is a key measure of the plan 'Ségur de la Santé'.

Target 9-2 is the second and last target of the reform, and it follows the completion of milestone 9-1, related to the entry into force of the bill to improve the health system through confidence and simplification.

**Evidence Provided:**

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

- i. Summary document duly justifying how the target was satisfactorily fulfilled, with appropriate links to the underlying evidence.
- ii. PJ1 Draft law on the financing of social security for 2021 (Projet de loi de financement de la sécurité sociale pour 2021 - PLFSS 2021 Anex 7).
- iii. PJ2 Draft law on the financing of social security for 2022 (Projet de loi de financement de la sécurité sociale pour 2022 - PLFSS 2022 Anex 7).
- iv. PJ3 Draft law on the financing of social security for 2023 (Projet de loi de financement de la sécurité sociale pour 2023 - PLFSS 2023 Anex 5).

The authorities also provided:

- v. PJ4 Executive order n° DGOS/R1/2020/190 of 2 November 2020.
- vi. PJ5 Administrative decision of 8 November 2020 of the Official Journal of French Republic (10 September 2020).
- vii. PJ6 Executive order n° DGOS/R1/2020/232 of 17 December.
- viii. PJ7 Administrative decision of 24 Mars 2021 of the Official Journal of French Republic (28 Mars 2021).
- ix. PJ8 Administrative decision of 28 February 2020 of the Official Journal of French Republic (1 Mars 2020).
- x. PJ9 Executive order n° DGOS/R1/2021/87 of 21 April 2021.
- xi. PJ10 Administrative decision of 3 May 2021 of the Official Journal of French Republic (7 May 2021).
- xii. PJ11 Administrative decision of 30 June 2021 of the Official Journal of French Republic (2 July 2021).
- xiii. PJ12 Administrative decision of 7 September 2021 of the Official Journal of French Republic (16 September 2021).
- xiv. PJ13 Executive order n° DGOS/R1/2021/213 of 20 October 2021.
- xv. PJ14 Executive order n° DGOS/R1/2021/257 of 17 December 2021.
- xvi. PJ15 Administrative decision of 30 Mars 2021 of the Official Journal of French Republic (31 Mars 2021).
- xvii. PJ16 Administrative decision of 06 April 2021 of the Official Journal of French Republic (14 April 2021).

- xviii. PJ17 Administrative decision of 10 Mars 2022 of the Official Journal of French Republic (22 Mars 2022).
- xix. PJ18 Executive order n° DGOS/R1/2022/110 of 15 April.
- xx. PJ19 Administrative decision 18 August 2022 of the Official Journal of French Republic (22 August 2022).
- xxi. PJ20 Executive order n° DGOS/R1/2022/238 of 31 October 2022.
- xxii. PJ21 Executive order n° DGOS/R1/2022/277 of 23 December 2022.
- xxiii. PJ22 Administrative decision of 28 Mars 2022 of the Official Journal of French Republic (8 April 2022).
- xxiv. PJ23 Executive order n° DGOS/R1/2023/70 of 6 June 2023.
- xxv. PJ24 Administrative decision of 30 Mars 2023 of the Official Journal of French Republic (31 Mars 2023).
- xxvi. PJ25 Decree n° 2021-341 du 29 mars 2021 of the Official Journal of French Republic (30 Mars 2021).
- xxvii. PJ26 Financial technical notice n° ATIH-234-7-2021 of 4 May 2021 (Agence Technique de l'information sur l'Hospitalisation).
- xxviii. PJ27 Financial technical notice n° ATIH-150-4-2022 of 26 April 2022 (Agence Technique de l'information sur l'Hospitalisation).
- xxix. PJ28 Commitment excel file of recipients 2022.
- xxx. PJ29 Explanation note of the achievement of the target.
- xxxi. PJ30 Replenishment of Ségur funding effective 2020-2023.
- xxxii. PJ35 Financial technical notice n° ATIH-270-4-2023 of 31 May 2023 (Agence Technique de l'information sur l'Hospitalisation).

**Analysis:**

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

**Credit commitment rate for the upgrading of human resources in health (90%).**

The National 'Health Ségur plan' agreements are based on 5 pillars (Transforming the occupations and upgrading those who care, Define a new policies investment and financing at the service quality care, Simplifying organisations and the team's daily work, Bringing together actors health in the territories in user service and The strand digital of the health Ségur). This National plan provides for salary upgrading measures for medical and non-medical staff in public and private health institutions for more than EUR 6.8 billion (100% of credit committed, more than the target's goal), with a gradual increase over the period 2020-2023 (evidence xxx).

The explanation notes of the achievement of the target (evidence xxix), the Replenishment of Ségur funding effective 2020-2023 (evidence xxx) and the summary document (evidence i) confirmed the Executive Orders (2020-2023), the Budgetary documents (2020-2023) and the Administrative decisions (2020-2023) amounts engaged by the French Authorities in the following domains regarding the upgrading of human resources:

- non-medical staff
- medical staff
- students and post-graduate period recipients in health

- incentive schemes and enhancement of attractiveness

Furthermore, this commitment is presented, by year, for the 100% of amount, as follow:

- 2020: 2 147 M€ (31.3%)
- 2021: 5 612 M€ (81.7%)
- 2022: 6 732 M€ (98%)
- 2023: 6 869 M€ (100%)

The French authorities provided the Executives orders from 2020 to 2023 (evidence v, vii, x, xiv, xv, xix, xxi, xxii, xxiv) and the budgetary document from 2023(evidence iv) communicated to Parliament in 2023 to confirm the credit commitment rate for the upgrading of human resources in health for 2020 to 2023.

On this basis, the requirements from the description of the measure of 90% of credit commitment rate for the upgrading of human resources in health are met.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 9-7</b>	Related Measure: C9.I2 Modernisation and restructuring of hospitals and health care supply		
<b>Name of the Target:</b> Establishments supported in their investments in technical installations, equipment or light renovation.			
<b>Quantitative Indicator:</b> 800	<b>Baseline:</b> 0	<b>Target:</b> 800	<b>Time:</b> Q1 2023
<p><b>Context:</b></p> <p>The objective of this investment is to increase investment support for hospitals and health care facilities according to the commitment of the government in the Health Segur plan. The investments aim to modernise and restructure hospitals and health care supply.</p> <p>Target 9-7 concerns the support to establishments including investments in technical installations, equipment or light renovation. The target requires the allocation by the Regional Health Agency (ARS) of credits investments to 800 establishments.</p> <p>Target 9-7 is the first step of the implementation of the investment and it will be followed by targets 9-8 and 9-9 related to investment projects in the construction, energy renovation or modernisation of medical establishments and target 9-10 related to establishments supported in their investments in technical installations, equipment or light renovation. The overall investment, including targets 9-7 and 9-10, has a final expected date for implementation in Q2 2026.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p>			



- i. A summary document (9-7\_SD\_VF.docx).
- ii. A list of beneficiaries (Annexe 1\_listesbénéficiaires\_9-7\_VF.xlsx).

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

- iii. Sampling evidence for 60 establishments containing a notification from the regional health agency to the establishment (for 47 samples), the contract between the regional health agency and the establishment (for all samples), and a proof of payment by the Caisse des depots (for all samples).
- iv. Investment guidance (INSTRUCTION N° DGOS/PF1/2021/4 of 4 January 2021 relating to credits dedicated to daily investment in health establishments and the reduction of health inequalities, within the framework of *Ségur de la santé* and the invest plan for hospitals) from the Ministry of Health to the regional health agencies (hereinafter 'the investment guidance').
- v. For the regional health agencies that are included in the sample, the methodologies to allocate the investments to the establishments (hereinafter 'envelope distribution').

#### **Analysis:**

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

**Number of establishments to which the ARS (Regional Health Agency) has allocated credits investments in technical installations, equipment or light renovation. Cumulative calculation: number of different health care institutions that received credits to invest in technical installations, equipment or light renovation works.**

According to the INSTRUCTION No. DGOS/PF1/2021/4 of January 4, 2021 relating to credits dedicated to daily investment in health establishments and the reduction of health inequalities, within the framework of *Ségur de la santé* and the invest plan for hospitals (the investment guidance), the funds that are allocated are part of the Fund for Modernisation and Investment in Health (FMIS), which replaced the Fund for the Modernisation of Public and Private Health Institutions (FMESPP) in 2021. Under the Health Segur plan (*Ségur de la Santé*) agreements, which provide support for hospital investment, it was decided to increase the initial allocation for 2021 by EUR 500 million to EUR 650 million and extend its scope to all health institutions. With the investment guidance, the Ministry of Solidarity and Health decided to support investment of health institutions and contribute to the reduction of health inequalities (the latter not part of this target). These are current investments and renewals with the objective to quickly and significantly improve the functioning of daily services, with priority given to establishments with the greatest difficulties in ensuring these current investments. Investments target room and logistics equipment, information system equipment, medical and biomedical materials or equipment, and maintenance work or light renovation. The implementation process was as follows: the Ministry of Health provided the investment guidance and allocated the investment credits to the regional health agencies. Consequently, the regional health agencies in agreement with the federations and local agencies agreed on an allocation methodology of the funds

to the health establishments. Consequently, the regional health agencies notified the establishments on the credits allocated and provided guidance on how to use the funds for investments which was formalised in a contract. Reimbursements to the establishments were made on the basis of invoices from the establishments to '*Caisse des Dépôts and Consignment*' as described in contracts between the establishments and the regional health agencies.

The target requires 800 establishments to which the ARS (Regional Health Agency) has allocated credits investments in technical installations, equipment or light renovation. The French authorities have submitted a list of 1310 beneficiaries. The list includes the establishment name (*raison sociale de l'établissement de santé*), type of establishment (*statut juridique de l'établissement*), location, type of investment (technical installations, equipment or light renovation) and where available a brief description.

The evidence provided for a sample of 60 units confirmed that the requirements of the target have been met. Each sample, based on the evidence received, was verified to be in line with the target description and the beneficiary list; the establishment (based on the contract), the type (public or private) (in the payment order), location (in the contract and payment order) and type of investment (in the contract or verified by invoices) matched those indicated in the beneficiary list. In addition, the credit amount also matched (based on the notification, the contract and the payment order). No issues were found on the name of the establishments, location and credit amounts. We identified one issue where the type of establishment in the evidence did not match the one indicated in the beneficiary list, which was a data error in the evidence provided (it stated private while it was a public institution). The scope of eligible investments refers to the following three main categories: technical installations, equipment or light renovation. From the contract clauses this may include room and logistical equipment, information system equipment, medical and biomedical materials or equipment, and the performance of maintenance works or light renovation operations. In the sampling assessment it was verified that the type of investment was in line with the target description. In most samples the contract provided the evidence that the investment was in line with the target description, in a few cases the contract was not precise enough and invoices were requested, which allowed verification of the type of investment.

**Furthermore, in line with the description of the measure, the measure shall also finance investments to comply with safety and environmental standards (such as safety of equipment and health products, equipment to improve the working conditions, waste management).**

In the assessment of the sampled evidence, in the contracts, investments were identified that demonstrate compliance with safety and environmental standards (such as safety of equipment and health products, equipment to improve the working conditions, waste management). In the assessed samples there was evidence of:

- a contract specified investment in the improvement of working conditions;
- a contract specified that works on the water system had to be performed after an audit, as well as on the centralisation of automatic door closures to ensure patients safety;
- the contract specified an investment in radio protection and investment in sustainable development (namely, isolation and conversion of wood energy heater), and in upgrading to

standards (namely, in air conditioning and security);

- investment to modernise and upgrade lifts to standards;
- investment in upgrading of exterior lighting on a specified site to standards;
- investment in renovation of lifts, electrical and fire safety;
- investment in light renovation works of asbestos removal.

**Furthermore, in line with the description of the measure, the Regional Health Agencies shall be responsible for identifying and examining the investment needs of hospitals with regard to the specific needs of their territories.**

The French authorities provided 1) the investment guidance via which the Ministry instructed (top down) the Regional Health Agencies how to allocate the funds and 2) the methodologies of the regional health agencies that are included in the sample to allocate the funds to the establishments ('envelope distribution').

The investment guidance stated the following: *'These funds will be allocated to you in the first circular of the Fund for Modernisation and Investment in Health (FMIS), which replaces the Fund for the Modernisation of Public and Private Health Institutions (FMESPP) in 2021. The arrangements for allocating these appropriations are part of the Health Secur plan to give more room for manoeuvre to respond to their health challenges decisions on investments involve local stakeholders, ensuring a cooperative process. This allocation will be distributed among establishments in a devolved manner, under your responsibility. You will consult the representative federations at local level on your regional choices of this instruction. The appropriations allocated to each establishment will be used in close consultation with the medical and healthcare communities in the establishments: each institution will propose and decide on the allocation of this envelope, based in particular on the needs expressed by the health, medical and technical services, and taking into account, as far as possible, the challenge of energy transition'*.

For selecting the establishments, the following guidance was given:

*'You will make sure to prioritise institutions with particularly urgent current investment needs and depending on the organisation of the care provision in your region. Financial criteria that reflect difficulties of self-financing and chronic underinvestment, and/or reported needs and projects, can thus be mobilised and requested by institutions to ensure the most appropriate allocation between establishments.'* (the investment guidance).

The authorities also provided the methodologies used by the ten ARS that were part of the sample. Those methodologies are not uniform as they were negotiated between the ARS and the relevant federations in the regions, but in summary the allocation was as follows:

1. To ensure the most relevant distribution possible between institutions, the ARS used a flat-rate method for the vast majority of them, using allocation keys based on different criteria specific to each ARS.
2. In the criteria used, several ARS used the overall level of health insurance receipts and the share of the institution's products in the total sickness insurance products at regional level, the level of activity or the number of staff in terms of full-time equivalents. Financial criteria reflecting

difficulties of self-financing and chronic underinvestment were also considered: level of self-financing capacity, level of working capital.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 9-15</b>	Related Measure: C9.15 High-speed broadband plan ('Plan France très haut débit')		
<b>Name of the Target:</b> Additional housing and business premises that are eligible to be connected to fibre			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 2 500 000	<b>Time:</b> Q4 2023
<b>Context:</b>			
<p>Measure C9.15 aims to support the implementation of France's high-speed broadband plan ('<i>plan France très-haut débit</i>'), with the objective to improve the connectivity in the territory and provide by 2025 nation-wide 'very high speed' access. In particular, the measure supports an increase in ambition of the plan, to encourage the acceleration of the deployment of Next Generation Access (NGA) networks, in particular in optic fibre, with speeds above 100 Mbps and generally exceeding 1 Gbps. The projects shall take place in the so-called 'public initiative networks', zones for which the private investment is difficult to attract.</p>			
<p>Target 9-15 requires 2 500 000 additional houses and business premises (compared to 2022) to be eligible to be connected to fibre in 2023.</p>			
<p>Target 9-15 is the second and last milestone of the investment and it follows the completion of target 9-14 related to the number of additional housing and business premises that were eligible to be connected to fibre in 2021.</p>			
<b>Evidence Provided:</b>			
<p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p>			
<ul style="list-style-type: none"> <li>i. A summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex with appropriate links to the underlying evidence.</li> <li>ii. A letter of 7 March 2024 from the Deputy Director General of the Regulatory Authority for Electronic Communications, Posts and Press Distribution (<i>Autorité de Régulation des Communications Electroniques, des Postes et de la Distribution de la Presse - ARCEP</i>) providing certification for the data, by departments, on the number of premises eligible to be connected to fibre in zones of public initiative networks in 2020, 2021, 2022 and 2023.</li> </ul>			
<p>The authorities also provided:</p>			
<ul style="list-style-type: none"> <li>iii. A letter of 11 January 2024 from the Deputy Director General of the Regulatory Authority for Electronic Communications, Posts and Press Distribution (<i>Autorité de Régulation des Communications Electroniques, des Postes et de la Distribution de la Presse - ARCEP</i>) providing certification for the data, by departments, on the number of premises eligible to be connected</li> </ul>			

to fibre in zones of public initiative networks until September 2023.

- iv. The compendium<sup>1</sup> of functional and technical specifications on fibre networks to the subscriber outside of very dense areas, dated of 5 September 2023.

**Analysis:**

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

**Number of additional (compared to 2022) housing and business premises that are eligible to be connected to fibre in 2023.**

The target in the Council Implementing Decision is further specified in the Operational Arrangements, which requires that this indicator relies on data published on a semester basis, and covers the public intervention area only.

The Regulatory Authority for Electronic Communications, Posts and Press Distribution (*hereinafter referred to as 'ARCEP'*) is the French **independent administrative authority** that centralises all the data on connectivity (Le marché du haut et très haut débit fixe (déploiements) - data.gouv.fr). ARCEP holds all the data on connectivity. Through ARCEP open data, commercial operators communicate and final beneficiaries are able to verify their eligibility to be connected to fibre.

Under the Decision<sup>2</sup> of ARCEP 'on the content and publication of cover cards fixed location internet access networks and services, and the modalities of transmission of underlying information', ARCEP collects quarterly data by addresses on the coverage of high-speed broadband networks deployed by private operators or as part of Public Initiative Networks on the national territory. These data are presented and publicly available on ARCEP website page on fibre: <https://cartefibre.arcep.fr/>. This complies with what is specified in the further specifications of the Operational Arrangements requiring data published on a semester basis and covering the public intervention area only.

The Council Implementing Decision requires that 2 500 000 additional eligible housing and businesses premises should be connected to fibre in 2023. ARCEP provided (evidence ii) a certification of the data by departments on the number of additional businesses and households premises eligible to be connected to fibre in 2023 in zones of public initiative networks. The data certified that 2 302 441 additional households and businesses premises were connected to fibre between January and December 2023.

For the previous target 9-14, France put forward as due justification 2 981 031 household and business premises against a target of 1 700 000 to be connected to fibre in 2021. This additional amount of 1 281

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<sup>1</sup> [https://www.arcep.fr/fileadmin/reprise/dossiers/fibre/CE-recueil-specification-ZMD\\_V11.pdf](https://www.arcep.fr/fileadmin/reprise/dossiers/fibre/CE-recueil-specification-ZMD_V11.pdf)

<sup>2</sup> [Decision No. 2018-0169 of 22 February 2018,](#)

031 compared to that target is considered by the Commission as relevant due justification to be taken into account for the assessment of this target. Therefore, those 1 281 031 added to the 2 302 441 additional households and businesses premises that were connected to fibre between January and December 2023 demonstrate that the target requirement of 2 500 000 has been met. Specifically, whilst the fact that not all those additional connections occur 'in 2023', but also in earlier dates constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, this minimal deviation does not change the nature of the measure and does not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled. Overall, the measure had required that there be 4 200 000 million additional households and businesses premises eligible to be connected to fibre by end 2023 compared to the situation in 2020, which has been overachieved with 5 283 472 having been eligible to be connected to fibre.

**Furthermore, in line with the description of the measure, the measure shall encourage the acceleration of the deployment of Next Generation Access (NGA) networks, in particular in optic fibre, with speeds above 100 Mbps and generally exceeding 1 Gbps.**

The French authorities demonstrated that the fibre deployed provides connection speed above 100 Mbps and generally exceeding 1 Gbps (see evidence iv), in line with the evidence already provided for target 9-14 assessed in the second payment request.

**Furthermore, in line with the description of the measure, the projects shall take place in the so-called 'public initiative networks', zones for which the private investment is difficult to attract and concern in particular the following territories: Aude, Auvergne, Bretagne, Cher, Dordogne, Doubs, Haute-Savoie, Indre, Manche, Mayotte, Sarthe and Seine-et-Marne. The evidence provided by the French authorities demonstrates that the projects are taking place in 91 departments (see evidence ii and iii), including in particular the following territories: Aude, Auvergne, Bretagne, Cher, Dordogne, Doubs, Haute-Savoie, Indre, Manche, Mayotte, Sarthe and Seine-et- Marne.**

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 9-19	Related Measure: C9.I8 - PIA4 - Support to teaching, research, promotion and innovation ecosystems	
<b>Name of the Milestone:</b> Award of the contracts - implementing decision of the Prime Minister		
<b>Qualitative Indicator:</b> Report from the Secrétariat Général pour l'Investissement (SGPI)		<b>Time:</b> Q4 2023
<b>Context:</b> The objective of investment C9.I8 is to support innovation in the field of teaching (from Kindergarten to university) and research as part of the fourth future-oriented investment programme ( <i>Programme d'investissements d'avenir</i> - PIA4). The measure is dedicated to three calls for project supporting: i) transformation projects of higher education institutions in order to reach the best international		

standards; ii) the diversification of the funding resources of higher education and research institutions; and iii) the transformation of school education by promoting innovation and new forms of organisation and management.

Milestone 9-19 concerns the implementing decision of the Prime Minister following the close of the calls for proposals/calls for interest launched under milestone 9-18, allowing contractualization with the recipients through granting funds to be signed for all recipients.

Milestone 9-19 is the second and last milestone of the investment, and it follows the completion of milestone 9-18 related to the launch of the calls with terms of reference including as eligibility criterion to ensure the environmental neutrality of the applications of the funded solution.

**Evidence provided:**

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

- i. A summary document duly justifying how the milestone was satisfactorily fulfilled;
- ii. A list of selected projects under the calls for proposals accompanied with the web-links to calls for interest launched under milestone 9-18;
- iii. Seven implementing decisions of the Prime Minister following the close of the calls for proposal or calls for interest launched under milestone 9-18:
  - a. Decision No. 2021-SESRI-01 dated 2 December 2021.
  - b. Decision No. 2022-SESRI-PIA4-11 dated 28 July 2022.
  - c. Decision No. 2022-SESRI-PIA4-12 dated 28 July 2022.
  - d. Decision No. 2022-SESRI-PIA4-13 dated 2 September 2022.
  - e. Decision No. 2023- SESRI-PIA4-02 dated 4 May 2023.
  - f. Decision No. 2023- SESRI-PIA4-03 dated 4 July 2023.
  - g. Decision No. 2023- SESRI-PIA4-04 dated 7 August 2023.

The authorities also provided for a set of 60 example projects:

- iv. Financing agreement signed with the project owner.
- v. The application file of the project owner.

**Analysis:**

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

**Implementing decision of the Prime Minister following the close of the calls for proposals/calls for interest launched under milestone 9-18; allowing contractualisation with the beneficiaries through granting funds to be signed for all beneficiaries.**

The evidence provided by the French authorities confirmed that all projects were selected under the three calls for project launched under the milestone 9-18. The three calls for project were launched under milestone 9-18 were 1) 'ExcellencES'; 2) 'Diversification of the resources of higher education and

research institutions'; and 3) 'Transformation of school education by promoting innovation and new forms of organization and management'. Through a consultation of their dedicated web-links, it was found that all three calls were closed prior to this payment request with i) 'ExcellencES' closed on 26 January 2023 ([Excellence sous toutes ses formes \(ExcellencES\) - Appel à projets – 2022 Vague 3 | ANR](#)); ii) 'Diversification of the resources of higher education and research institutions' closed on 15 September 2022 ([Accélération des stratégies de développement des établissements d'enseignement supérieur et de recherche – Appel à projets | ANR](#)); and iii) 'Transformation of school education by promoting innovation and new forms of organization and management' closed on 15 November 2022 ([La salle des marchés - Fiche de la consultation \(achatpublic.com\)](#)). Three implementing decisions of the Prime Minister were provided by the French authorities for the 'ExcellencES' call for a selection of 46 projects (Decision No. 2021-SESRI-01, Decision No. 2022-SESRI-PIA4-13 and Decision No. 2023-SESRI-PIA4-04). Implementing decision of the Prime Minister was provided by the French authorities for the call 'Diversification of the resources of higher education and research institutions' for a selection of 44 projects (Decision No. 2023- SESRI-PIA4-02). Three implementing decisions were provided by the French authorities for the call 'Transformation of school education by promoting innovation and new forms of organization and management' for a selection of 16 projects (Decision No. 2022-SESRI-PIA4-11, Decision No. 2022-SESRI-PIA4-12 and Decision No. 2023- SESRI-PIA4-03).

On the basis of the review of all above implementing decisions, it was confirmed that the list of the 106 selected projects was supported and consistent with the list of the projects disclosed in those decisions for granting funds.

**Furthermore, in line with the description of the measure, this shall lead to the exclusion of (i) activities related to fossil fuels, including downstream use; (ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; (iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and (iv) activities where the long-term disposal of waste may cause harm to the environment.**

Considering the nature of the objectives and the type of projects and beneficiaries focussed by the three calls for proposals concerned, the 106 projects listed appeared to respect the DNSH criteria and to not consist in activities to be excluded in accordance with the CID. To get additional assurance in this respect, 60 example projects was extracted from the list of projects (evidence ii). The analysis of the evidence provided for these 60 example projects confirmed that this requirement of the target has been met. Indeed, the analysis of the financing agreement signed by the project owners (evidence iv) together with the application file (evidence v), showing the project title and a full description of the project, confirmed that none of the projects selected under the calls for proposals or calls for interest under milestone 9-18 included activities from the exclusion list. As such, whilst these do no significant harm provisions were already assessed under milestone 9-18 of the first French payment request, this additional check confirms that the selected projects comply with the necessary provisions of the Council Implementing Decision.

**The Council Implementing Decision required, in line with the qualitative indicator for the milestone, a report to be provided by the French Government providing evidence of completion.**

The French authorities did not submit a report providing evidence of completion of the actions envisaged under this milestone. Instead, they submitted other pieces of evidence listed above and deemed adequate to prove the fulfilment of the milestone. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the evidence provided corroborates the completion of the actions required by the milestone. As of this, this minimal



deviation does not affect 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.

**Commission Preliminary Assessment:** Satisfactory fulfilled.

<b>Number: 10-1</b>	Related Measure: C10.R1 Law on the acceleration of renewable energy production
<b>Name of the Milestone:</b> Entry into force of the Law on the acceleration of renewable energy production	
<b>Qualitative Indicator:</b> Entry into force	<b>Time:</b> Q1 2023
<p><b>Context:</b></p> <p>The measure aims to speed-up the uptake of renewable energies in France, in order to achieve France's energy transition objectives and ensure its energy security of supply, by solving the main bottlenecks that hinder the deployment of renewable energy.</p> <p>Milestone 10-1 concerns the promulgation of the Law, and the entry into force of the provisions directly applicable, i.e. those for which no secondary legislation is required. These provisions concern territorial planning aimed at defining 'acceleration zones', public debates on the acceleration of offshore wind planning, the simplification of the installation of photovoltaic panels and the development of collective self-consumption.</p> <p>Milestone 10-1 is the only milestone of this reform.</p>	
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> <li>i. A summary document duly justifying how the milestone was satisfactorily fulfilled (including all the constitutive elements as listed in the description of the milestone and of the corresponding measure) in line with the requirements set out in the Council Implementing Decision Annex</li> <li>ii. A copy of the Law No. 2023-175 of 10 March 2023 on the acceleration of renewable energy production, and the link to the Law as published in the Official Journal (O.J.) No. 0600 of 11 March 2023 <a href="#">LOI n°2023-175 du 10 mars 2023 relative à l'accélération de la production d'énergies renouvelables (1) - Légifrance (legifrance.gouv.fr)</a></li> </ul> <p>The authorities also provided:</p> <ul style="list-style-type: none"> <li>iii. The guidance document for local and regional authorities on territorial planning of renewable energy, prepared by the Ministry of energy transition (.pdf document)</li> <li>iv. The map <a href="#">portal</a> for territorial planning</li> <li>v. The guidance document on how to use the map portal for territorial planning (.pdf document)</li> <li>vi. The list of '<i>référénts préfectoraux</i>', who represent the State at regional or local levels, as of 5 December 2023 (.pdf document)</li> </ul>	

- vii. The letter from the Minister of energy transition of 9 June 2023 concerning the establishment of the territorial planning process for renewable energy production
- viii. The [link](#) to the website of the Ministry of energy transition where the territorial planning process for renewable energy production is detailed
- ix. Article L. 2231-4 of the transport code, and the link to the Article [Article L2231-4 - Code des transports - Légifrance \(legifrance.gouv.fr\)](#)
- x. The [link](#) to the public debates on offshore wind planning
- xi. Decision of the Constitutional Council adopted on 9 March 2023, on the Law related to the acceleration of renewable energy production (.pdf) and the link to the Decision [Décision n° 2023-848 DC du 9 mars 2023 | Conseil constitutionnel \(conseil-constitutionnel.fr\)](#)
- xii. A copy of the Decree No. 2021-895 related to collective self-consumption in HLM adopted on 5 July 2021 (.pdf) and the link to the Decree as published in the Official Journal (O.J.) No. 0156 of 7 July 2021 [Décret n° 2021-895 du 5 juillet 2021 relatif à l'autoconsommation collective dans les habitations à loyer modéré - Légifrance \(legifrance.gouv.fr\)](#)
- xiii. The [link](#) to Article L.315-2-1 of the 'energy code' (Code de l'énergie) which defines the legislative framework applicable to self-consumption operations carried out by low-income housing offices ('*organisme d'habitations à loyer modéré*')
- xiv. Two support schemes allowing the development of self-consumption: [SA.61902](#) on feed-in tariffs for small solar installations on building 2021-2026, and [SA.50272](#) concerning a support scheme for the production of renewables, including self-consumption
- xv. The [link](#) to statistical data of the 'French Observatory of energy transition' on collective self-consumption

#### **Analysis:**

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

#### **Promulgation of the Law**

The Law No. 2023-175 related to the acceleration of renewable energy production (*hereinafter referred to as 'the Law'*) has been adopted and promulgated on 10 March 2023, as indicated in the Official Journal No. 0060 published on 11 March 2023 (see evidence ii).

#### **Entry into force of the provisions directly applicable on:**

**the territorial planning of renewable energies shall be based on a bottom-up process, involving all representatives of municipalities and territories, in charge of the definition of the 'acceleration zones', following a strong consultation process with all stakeholders;**

Article 15 of the Law (see evidence ii) is of direct application, as it does not require any implementing act. As such, it entered into force the day following the publication of the Law in the Official Journal, i.e. on 12 March 2023.

It provides for a bottom-up process for territorial planning for renewable energies: it describes the

consultation process that has to be organised at local level and the role of each actor (mayor, local authorities, regional energy committee, etc.), as well as the tools available to help defining the 'acceleration zones'. In order to help this process, the Minister of energy transition sent a letter (see evidence vii) to all mayors in June 2023 in order to inform them on the process of definition of 'acceleration zones'.

In addition, the Ministry of energy transition provided several tools to involve the general public as well as representatives of municipalities and territories, in order to allow a broad and strong consultation process:

- a map portal for territorial planning (see evidence iv): it provides all data on renewable energies and their potential for deployment in all territories; it also allows municipalities to define the 'acceleration zones' in their territory, and share them with other stakeholders;
- a guidance document in order to use this map portal (see evidence v);
- a guidance document on territorial planning: it guides local and regional authorities in the process of establishing territorial planning in partnership with stakeholders, through a consultation process (see evidence iii);
- a description of the territorial planning process on the Ministry website (see evidence viii).

Furthermore, the Law establishes the position of '*référént préfectoral*' in its article 6 (see evidence ii). Those '*référénts préfectoraux*' represent the State at local level ('*département*') and become the single-entry point for the examination of permit applications. The list of '*référénts préfectoraux*' is available on the Ministry website (see evidence vi).

**The acceleration of offshore wind planning: public debates shall be launched on the four coastal areas of France in order to define a mapping of offshore wind projects and the State shall be responsible for technical studies, which is expected to allow the TSO (transmission system operator) to anticipate the connection works;**

As provided in Articles 56 to 58 of the Law (see evidence ii), the acceleration of offshore wind planning was launched in 2023. These articles are of direct applicability, as they do not require any implementing act and as such, have entered into force on 12 March 2023.

As specified in the link to the public debates (see evidence x) organised on offshore wind planning, four public debates on the four coastal areas of France are underway since 20 November 2023 in order to define a mapping of offshore wind projects by 26 April 2024. Those debates allow the general public and stakeholders to participate in the identification of offshore wind development zones over the next 10 years and by 2050.

Furthermore, Article 58 of the Law created a new Article L. 311-10-3 in the energy code, which provides that: '*As part of the competitive bidding procedures provided for in Article 311-10 related to the construction and operation of offshore renewable energy production facilities and their connection works to the electricity transmission network, the State carries out the technical and environmental studies necessary for the development of projects [...] and for the impact assessment. It may initiate in advance the carrying out of technical and environmental studies with a view to the future launch of one or more of these procedures, in particular within the priority areas mentioned in Article L. 219-5-1 part*

*II of the code of the environment*'. In addition, Article 31 of the Law (see evidence ii) provides for the possibility that the government asks RTE ('Réseau de Transport de l'Electricité'), e.g. the French TSO, to anticipate the connection works resulting from offshore wind mapping exercise.

**the simplification of the installation of photovoltaic panels on abandoned motorways and railways areas;**

Article 24 of the Law (see evidence ii) is of direct applicability as it does not require implementing act, and as such it has entered into force on 12 March 2023. This article allows the facilitation of the installation of photovoltaic panels on abandoned motorways, major roads as well as near or into the railway tracks: it provides for the setting up of a guarantee fund which compensates solar panels operators for a part of the financial losses that may result from a cancellation of a building permit by the administrative judge.

In addition, Article 34 of the Law (see evidence ii) modifies article L. 2231-4 of the transport code (see evidence ix) in order to grant an installation exemption to 'renewable energy production projects integrated into the railway line or installed near the railway line, as long as these projects do not compromise the safety of rail traffic, nor the proper functioning of the infrastructure, systems and transport equipment as well as their maintenance'.

**the development of collective self-consumption shall be strengthened by targeting the revenues of extra production of renewables in low-income housing (*Habitation à Loyer Modéré, HLM*) to the reduction of the costs, the maintenance or repair of the installation; and by clarifying the contractual framework for self-consumption communities.**

Article 86 of the Law (see evidence ii) is of direct applicability as it does not require the adoption of any implementing act, and as such it has entered into force on 12 March 2023. This article clarifies the public procurement rules applying to local and regional authorities wishing to participate in collective self-consumption operations, by making possible for a public buyer to use a public procurement contract with one of more electricity producers in order to answer their energy needs. This provision of the Law specifically addresses the requirement related to the second sub-provision on self-consumption by clarifying the contractual framework for self-consumption communities<sup>3</sup>.

Concerning the first sub-provision to strengthen the development of collective self-consumption by targeting the revenues of extra production of renewables in low-income housing (*Habitation à Loyer Modéré, HLM*) to the reduction of the costs, the maintenance or repair of the installation, several

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<sup>3</sup> To be noted that in the English version of the CID, "les collectivités territoriales" are translated by "communities"

provisions of the Law (evidence ii) are relevant and contribute to supporting collective self-consumption in general, and in low-income housing in particular.

More specifically:

- Article 42 of the Law (see evidence ii) requires that low-income housing organisations HLM carry out feasibility studies of self-consumption operations when renewing the energy diagnosis of the building.
- Article 3 of the Law (see evidence ii) integrates the EU definition of ‘energy communities’ and specifies the different forms they can take.
- Article 88 simplifies the procedures for engaging in collective self-consumption operations: it provides that it is no longer necessary to create a dedicated board (*‘régie’*) nor to establish an additional budget for surplus photovoltaic production.

Article 49 of the Law as adopted by the Parliament included an additional provision targeting the revenues of extra production of renewables in low-income housing to the reduction of the costs, maintenance or repair of the installation. This Article was eventually removed from the final version of the Law that entered into force, following a decision of the Constitutional Court which considered this provision as a ‘legislative rider’ (see evidence xi). This means that the Constitutional Court found that the provision had no connection with the subject matter of the bill.

Furthermore, collective self-consumption in general and in low-income housing in particular is supported by a number of elements of the current legal and financial framework. More specifically:

- the Decree No. 2021-895 on collective self-consumption in HLM (*hereinafter referred to as ‘the Decree’*) (see evidence xii) specifies the information obligations to the tenants, and provides that the HLM organisations, in their capacity of organising legal entity (*‘PMO’, personne morale organisatrice*), of the collective self-consumption operations, shall be responsible for defining *‘the terms of financial distribution on the participants to the collective self-consumption operations for the tenants, the payment methods, as well as, when applicable, the conditions for the evolution of such financial distribution’* ( Article 1 of the Decree). Such legal framework facilitates the targeting of the revenues of extra production of renewables in low-income housing to the reduction of the costs, maintenance or repair of the installation.
- Article L. 315-2-1 of the ‘energy code’ (see evidence xiii), revised on 3 March 2021, defines ‘collective self-consumption’, and the role of the organizing legal entity (*‘PMO’, personne morale organisatrice*), in charge of bringing together all the producers and consumers of a collective self-consumption operation;
- two support schemes (the one on feed-in tariffs for small solar installations on building, and the one concerning the production of renewables, including self-consumption) (see evidence xiv).

While these elements were adopted prior to the eligibility period for measures under REPowerEU, they remain relevant from a policy perspective in understanding how collective self-consumption is supported in France.

Statistical data provided by ‘French Observatory of energy transition’ (see evidence xv) confirm that ‘development of collective self-consumption’ is picking up in France. More specifically, 305 operations of collective self-consumption were active at the end of 2023, and concern 4 369 participants, for an

installed capacity of nearly 23 MW. This figure has doubled in one year (149 operations at the end of 2022) and almost quadrupled in two years (77 operations in 2021).

The Council Implementing Decision required that the Law shall include a sub-provision on self-consumption in HLM, by ‘target[ing] the revenues of renewables extra production in low-income housing to the reduction of costs, maintenance or repair’. Although the Law does not include a separate sub-provision to this end other provisions in the Law (articles 3, 42, 86 and 88) ensure the same objective of accelerating the deployment of collective self-consumption operations in low-income housing, as well as within ‘local communities’. Those provisions, read together with other provisions of the current legal and financial framework are sufficient to allow the deployment of collective self-consumption in general, and in low-income housing in particular, as it is shown by the recent statistical data. In addition, the overall regulatory framework does not prevent low-income housing to use extra-revenues to lower the costs, maintain or repair the installation.

Whilst the lack of a separate sub-provision constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, it does not change the nature of the measure and does not affect the progress towards achieving the objective of strengthening the development of collective self-consumption. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 10-2</b>	Related Measure: C10.R2 Setting up of the General Secretariat for Ecological Planning (SGPE)	
<b>Name of the Milestone:</b> Entry into force of the Decree implementing the setting-up of the SGPE		
<b>Qualitative Indicator:</b> Provisions in the decree indicating entry into force		<b>Time:</b> Q1 2023
<p><b>Context:</b></p> <p>The measure aims at setting up a Secretariat General for Ecological Planning (SGPE), under the authority of the Prime Minister. The role of this entity is the coordination of the development of national strategies on climate, energy, biodiversity and the circular economy, ensuring compliance with France's European and international commitments, but also ensuring the implementation of these strategies by all the ministries concerned. The SGPE is expected to ensure regular evaluation of the policies carried out under these strategies and action plans and the publication of indicators to report on their progress. The SGPE also prepares and coordinates the Government's responses to the opinions of the High Council for the Climate.</p> <p>Milestone 10-2 concerns the entry into force of the Decree setting-up the SGPE its entry into operation and setting out the prerogatives.</p> <p>Milestone 10-2 is the only milestone of this reform.</p>		
<b>Evidence provided:</b>		

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

- i. Summary document duly justifying how the milestone was satisfactorily fulfilled, including a link to the publication of the decree implementing the setting-up of the SGPE in the Official Journal.
- ii. Copy of Decree No. 2022-990 creating the SGPE published on the Official Journal on 7 July 2022 - « Décret n° 2022-990 du 7 juillet 2022 relatif au secrétariat général à la planification écologique <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000046026058>.

**Analysis:**

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

**Entry into force of the Decree n°2022-990 setting-up the SGPE and its entry into operation.**

The decree n° 2022-990 of 7 July 2022 *relatif au secrétariat général à la planification écologique* was published in the Official Journal on 7 July 2022. The text of the decree specifies that its provisions enters into force the day after the decree's publication in the Official Journal. Thus, the provisions of the decree setting-up the SGPE have entered into force on 8 July 2022. Article 1 of the decree states that the SGPE is created.

**The Decree shall set out the prerogatives of the SGPE, which include:**

- **coordinating the development of national strategies on climate, energy, biodiversity and the circular economy;**
- **ensuring the implementation of these strategies by all the ministries concerned and their translation into action plans;**
- **preparing and coordinating the Government's responses to the opinions of the High Council for the Climate.**

**Furthermore, in line with the description of the measure, the SGPE shall also be in charge of ensuring the implementation of these strategies by all the ministries concerned and their translation into action plans.**

**The SGPE shall prepare and coordinate the Government's responses to the opinions of the High Council for the Climate.**

Article 1 of decree n° 2022-990 of 7 July 2022 *relatif au secrétariat général à la planification écologique* specifies the prerogatives of the SGPE.

Article 1 paragraph 1 states that the SGPE 'coordinates the development of national climate, energy, biodiversity and circular economy strategies, ensuring compliance with France's European and international commitments. It shall pay particular attention to the sustainability of these strategies and their differentiation, in order to adapt to the specific characteristics of each territory and to integrate economic and social challenges'.

Article 1 paragraph 2 states that the SGPE 'shall ensure that these strategies are implemented by all the ministries concerned and that they are broken down into action plans'.

Article 1 paragraph 5 states that the SGPE 'prepares and coordinates the referrals and replies of the Government to the opinions of the High Council for the Climate'.

**Furthermore, in line with the description of the measure, a Secretariat General for Ecological Planning (SGPE) shall be established under the authority of the Prime Minister before Q1 2023. Its prerogatives shall be clearly set out by decree.**

Article 1 of decree n° 2022-990 of 7 July 2022 *relatif au secrétariat général à la planification écologique* specifies that 'A General Secretariat for Ecological Planning shall be established, under the authority of the Prime Minister, with the following functions:

1. it coordinates the development of national climate, energy, biodiversity and circular economy strategies, ensuring compliance with France's European and international commitments. It shall pay particular attention to the sustainability of these strategies and their differentiation, in order to adapt to the specific characteristics of each territory and to integrate economic and social challenges;
2. it shall ensure that these strategies are implemented by all the ministries concerned and that they are broken down into action plans;
3. ensure regular evaluation of the policies pursued under these strategies and action plans and the publication of indicators to report on them;
4. ensure that all public policies are consistent with the strategies referred to in point 1;
5. it prepares and coordinates the referrals and replies of the Government to the opinions of the High Council for Climate Change'.

**Furthermore, in line with the description of the measure, the SGPE shall be responsible for coordinating the development of national strategies on climate, energy, biodiversity and the circular economy, ensuring compliance with France's European and international commitments.**

Article 1 paragraph 1 of decree n° 2022-990 of 7 July 2022 *relatif au secrétariat général à la planification écologique* specifies that the SGPE 'coordinates the development of national climate, energy, biodiversity and circular economy strategies, ensuring compliance with France's European and international commitments'.

**Furthermore, in line with the description of the measure, the SGPE is expected to ensure regular evaluation of the policies carried out under these strategies and action plans and the publication of indicators to report on their progress.**

Article 1 paragraph 3 of decree n° 2022-990 of 7 July 2022 *relatif au secrétariat général à la planification écologique* specifies that the SGPE ensures regular evaluation of policies under these strategies and action plans and the publication of indicators to report on them.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number: 10-3</b>	Related Measure: C10.R3. Energy sobriety plan
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<b>Name of the Milestone:</b> Publication of the Energy sobriety plan	
<b>Qualitative Indicator:</b> Publication of the Energy sobriety plan	<b>Time:</b> Q1 2023
<p><b>Context:</b></p> <p>The objective of this reform is the publication of an energy sobriety plan by the government before the end of 2022 to accelerate the reduction of energy consumption by promoting energy efficiency actions involving the State, local authorities, businesses and citizens, with the objective of a 10% reduction in energy consumption by 2024 (compared to the winter of 2018-2019). The energy sobriety plan includes cross-cutting and sectoral measures implemented by each player, on a voluntary basis. The energy sobriety plan contains proposals for energy reduction in various areas including housing, transport and industry. The majority of the proposed actions are expected to concern buildings.</p> <p>Milestone 10-3 requires the publication of the Energy sobriety plan.</p> <p>Milestone 10-3 is the only milestone of this reform.</p>	
<p><b>Evidence provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>i. A summary document duly justifying how the milestone was satisfactorily fulfilled, including a link to the publication of the Energy sobriety plan published on 6 October 2022 on the website of the Ministry of Energy Transition.</li> <li>ii. A link to the website of the Ministry of Energy Transition where the Energy sobriety plan was published (<a href="https://www.ecologie.gouv.fr/sobriete-energetique-plan-reduire-notre-consommation-denergie">https://www.ecologie.gouv.fr/sobriete-energetique-plan-reduire-notre-consommation-denergie</a>) (hereinafter referred to as the Energy sobriety plan webpage)</li> </ol> <p>The authorities also provided:</p> <ol style="list-style-type: none"> <li>iii. A copy of the Energy sobriety plan '<i>Plan sobriété énergétique: une mobilisation générale</i>' (hereinafter referred to as 'the Plan').</li> <li>iv. A note providing further information on 'compared to winter 2018-2019' with a link to the 2<sup>nd</sup> act of the energy sobriety plan '<i>Plan sobriété énergétique, acte 2: la mobilisation se poursuit</i>' launched on 20 June 2023 and published on the website of the Ministry of Energy Transition (hereinafter referred to as the Second act plan).</li> <li>v. A link to the second act plan (<a href="https://www.ecologie.gouv.fr/sites/default/files/20.06.2023_DP_plan_sobriete.pdf">https://www.ecologie.gouv.fr/sites/default/files/20.06.2023_DP_plan_sobriete.pdf</a>)</li> </ol>	
<p><b>Analysis:</b></p> <p>The justification and substantiating evidence provided by the French authorities covers all constitutive elements of the milestone.</p> <p><b>Publication of the Energy sobriety plan with the objective of a 10% reduction in national energy consumption by 2024 (compared to the winter of 2018- 2019).</b></p> <p><b>Furthermore, in line with the description of the measure, an energy sobriety plan shall be published by the Government before the end of 2022.</b></p> <p>As indicated on the website of the Ministry of Energy Transition, the Energy sobriety plan was</p>	

published on 6 October 2022 as part of a press pack together with a video of the presentation of the Plan which took place on 6 October 2022 at the '*parc des expositions de la Porte de Versailles*' and the press release of 5 October for the event (see first page of the Energy sobriety plan webpage). Therefore, this confirmed that the plan was published before the end of 2022.

As detailed throughout the Plan, and more specifically in the editorial of the Prime Minister (page 4) and the Ministry of Energy Transition's website (see first page of the Energy sobriety plan webpage) the Plan is accompanied by the objective of reducing national energy consumption by 10% over two years by 2024 as compared with 2019.

Furthermore, the French authorities provided the link to the Second act plan launched on 20 June 2023, which takes stock of the initial Plan and outlines to the major results. In particular outlining that at a national level the energy consumption of August 2022 to June 2023 has been reduced by 12% as compared to the same period for 2018-2019 (page 16 of the Second act plan). Furthermore, the Second act plan also states that the measures implemented following the initial Plan enabled France to reduce the energy consumption compared to winter by 12% (page 6). This demonstrates that the reference period for the initial Plan was indeed winter 2018-2019.

**The plan shall include proposals for energy reduction in various sectors, including housing, transport and industry.**

The Energy sobriety plan included descriptions of the proposals to reduce energy consumption in various domains, including housing (pages 18-19), transport (pages 30- 31) and industry (pages 26-27).

**Furthermore, in line with the description of the measure, the energy sobriety plan included cross-cutting and sectoral measures to be implemented by each player, on a voluntary basis.**

**An energy sobriety plan shall be published [by the Government before the end of 2022] to accelerate the reduction of energy consumption by promoting energy efficiency actions involving the State, local authorities, businesses and citizens.**

As demonstrated in the Plan (pages 12-13), cross-cutting measures were included aimed at all sectors. These measures included the reduction of energy consumption of all buildings, irrespective of the sector, through initiatives such as awareness raising and enforcing temperature regulations, installing intelligent energy management systems, reducing office ventilation, improving insulation and updating material for better energy efficiency (pages 12-13). This also included encouraging a more restrained and cheaper type of mobility such as developing public transport, which is accessible to bikes, sustainable mobility passes and encouraging car-sharing (page 14). The Plan further detailed sectorial measures, including, for example, sobriety in sport (pages 34-35), sobriety for establishments open to the public, service and commercial activities (pages 22-24), sobriety in the numerical sector (pages 32-33) and sobriety for businesses (pages 20-21). All actors were invited to act on a voluntary basis with the Plan specifying measures for each player, including sobriety for an exemplary State (pages 15-19), sobriety for local authorities (pages 36-38), sobriety for industry (pages 26-27) and sobriety for French citizens (pages 40-43).

**Commission Preliminary Assessment:** Satisfactorily fulfilled

**Number:** 10-4

Related Measure: C10.I1 Fossil-free industry

**Name of the Milestone:** Selection of projects achieving an expected reduction of fossil energy consumption

**Qualitative Indicator:** Selection of projects

**Time:** Q4 2023

**Context:**

The measure aims to support investments in decarbonising industrial heat, energy efficiency and process change investments in industry to reduce fossil energy consumption through three calls for projects to support biomass heat in replacement of fossil fuelled units (call 1), to support large-scale projects on energy efficiency and improvement of industrial processes (call 2), and to support small decarbonisation projects covering similar types of investments as call 2 but for SMEs mainly (call 3).

Milestone 10-4 requires the selection of projects jointly achieving an expected reduction of fossil energy consumption of 250 GWh of primary energy per year.

Milestone 10-4 is the first step of the implementation of the investment, and it will be followed by milestone 10-5, related to the entry into operations of projects achieving an expected reduction of fossil energy consumption of 250 GWh of primary energy per year. The investment has a final expected date for implementation in 2026.

**Evidence provided:**

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

- iii. A summary document duly justifying how the milestone was satisfactorily fulfilled in line with the requirements set out in the Council Implementing Decision Annex.
- iv. A list of selected projects achieving an expected reduction of fossil energy consumption of 250 GWh of primary energy per year, prepared by the Agency for Ecological Transition (*'Agence de la transition écologique' ADEME*). The list includes the name of the project and of the company as well as the company's registration (columns C, D and O), the relevant call for projects (column B), the date of the relevant Prime Minister Decision allowing the contractualization of the project (column I), a description of the project (column P), for ETS sites: the referential, the EUTL number, the ETS benchmark and the expected post-project carbon intensity (columns U, W, T and S), for biomass projects: further information linked to compliance with the Renewable Energy Directive 2018/2001/EU (REDII) (column X).
- v. Copies of Prime Minister Decision n°2023-INDUS-FR30-19 of 24 May 2025, Prime Minister Decision n°2023-INDUS-FR30-07 of 27 February 2023, Prime Minister Decision n°2023-INDUS-FR30-23 of 20 June 2023 and Prime Minister Decision n°2023-INDUS-FR30-29 of 24 July 2023.
- vi. A copy of the contracts issued by ADEME between the ADEME and the recipients of the support listed in evidence ii as well as technical annexes produced by the recipients of the support listed in evidence ii, detailing the expected fossil fuel primary energy reduction per year.
- vii. Terms of reference of the call for proposal 'BCIAT' for biomass projects (*'Volet 1 : Chaleur Bas Carbone par conversion à la biomasse'*).
- viii. Terms of reference of the call for proposals for large-scale decarbonisation projects 'DECARB IND' (*'Volet 2 : Efficacité énergétique et décarbonation des procédés'*).
- ix. Terms of reference of the call for proposals for small-scale decarbonisation projects 'DECARB FLASH' (*'Volet 3 : Déploiement rapide de la décarbonation en Industrie'*).

The authorities also provided:

- x. Link to Ordinance No. 2021-235 of 3 March 2021 transposing the sustainability aspect of bioenergy from Directive 2018/2001/EU (REDII) of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy produced from renewable sources <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000043210190/>
- xi. Link to Decree No. 2021-1903 of 30 Decembre 2021 for the application of ordinance No. 2021-235 of 3 March 2021 <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000044637987>
- xii. Order of 1 February 2023 on the criteria for sustainability and greenhouse gas emissions reductions for the production of heat and cold from bioliquids or solid or gaseous fuels from biomass <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000047134189>
- xiii. Order of 1 February 2023 for the application of the ordinance and decree transposing Directive 2018/2001/EC of the European Parliament and of the Council of 11 December 2018 relating to the promotion of the use of energy produced from renewable sources <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000047134129>
- xiv. Sustainability declaration form template (*'Format déclaration élec chaleur 2024'*)

**Analysis:**

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

**Selection of projects jointly achieving an expected reduction of fossil energy consumption of 250 GWh of primary energy per year. The greenhouse gas emissions reduction is calculated in comparison to the 'before investment' situation, and defined by the operator in the reply to the call for tender.**

The Commission considers that there is a clerical error in the text of the Council Implementing Decision as regards the description of milestone 10-4 and has undertaken the assessment on a revised basis. The name of the milestone as well as the qualitative indicator establish that the selected projects are to jointly achieve a reduction of fossil energy consumption of 250 GWh. When referring to the method of calculation of this reduction, instead of reduction of energy consumption, the description of the milestone erroneously refers to a 'greenhouse gas emissions reduction' to be calculated in comparison to the 'before investment' situation, and defined by the operator in the reply to the call for tender. However, the milestone aims to achieve a reduction of GWh of primary energy per year instead of greenhouse gas emissions. Against this background, the justification and substantiated evidence provided by the French authorities cover all constitutive elements of the milestone.

France provided a list of eight projects (evidence ii) which, together, are expected to achieve a reduction of 250.21 GWh of primary energy per year. France also provided the Prime Minister Decisions authorising contractualization for these projects (evidence iii). The contracts issued by ADEME between ADEME and the beneficiaries of the support and the technical annexes produced by the beneficiaries of the support (evidence iv) provided for each of the eight projects provide the detail of the individual expected reduction of fossil energy consumption in GWh of primary energy per year. These confirm an expected total of 250.21 GWh of primary energy reduction per year, which is in line with the objective of the milestone of an expected reduction of 250 GWh per year.

**Investments made within ETS installations shall achieve projected GHG emissions in line with the conditions in the measure description.**

**Furthermore, in line with the description of the measure, compliance with the DNSH principle as set out in the measure description shall be required for selected projects allowing to reach the target. It shall be required that investments made within EU Emission Trading System (ETS) installations shall enable to decrease CO2 emission intensity, in a way that ensures that the measure complies with the 'do no significant harm' principle of Regulation (EU)2021/241. The following list of activities shall not be supported: (i) activities related to fossil fuels, including downstream use; (ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emission intensity that is not lower than the relevant benchmarks; (iii) activities related to waste landfills, incinerators and mechanical biological treatment plants.**

Two of the eight projects submitted by France to evidence the satisfactory fulfilment of the milestone are ETS installations. For these projects, France provided the projects EUTL, the relevant referential and its benchmark as well as the expected projected carbon intensity post project for the project (evidence ii). These figures confirm that for both installations, the expected carbon intensity post project is below the average value of the 10 % most efficient installations for the relevant benchmark, as established for free allocation for activities falling within the scope of the Emissions Trading System, as set out in the Commission Implementing Regulation (EU) 2021/447 of 12 March 2021 determining revised benchmark values for free allocation of emission allowances for the period from 2021 to 2025 pursuant to Article 10a(2) of Directive 2003/87/EC of the European Parliament and of the Council.

The analysis of the contracts issued by ADEME and technical annexes produced by the recipients of the support detailing the eight projects (evidence iv) confirms that these do not involve activities related to fossil fuels, including downstream use nor activities related to waste landfills, incinerators and mechanical biological treatment plants.

**Biomass solutions shall be in line with the conditions in the measure description. Furthermore, in line with the measure description, biomass solutions shall consist of the installation of a new biomass boiler replacing a fossil fuelled unit. The biomass solution shall meet the sustainability and greenhouse gas emission savings criteria set out in Articles 29-31 and the rules on food and feed-based biofuels set out in Article 26 of the Renewable Energy Directive 2018/2001/EU (REDII), and related implementing and delegated acts.**

Two of the eight projects submitted by France to evidence the satisfactory fulfilment of the milestone are for biomass solutions and were selected under the call for projects 'BCIAT' dedicated to biomass solution under the measure (evidence v). For both projects, the analysis of the documents detailing the projects (evidence iv) confirms that these are new biomass solutions replacing fossil fuel capacity.

France has transposed the REDII directive through the following elements:

- Ordinance No. 2021-235 of 3 March 2021 transposing the sustainability aspect of bioenergy from Directive 2018/2001/EU (REDII) of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy produced from renewable sources. The ordinance sets out the sustainability and greenhouse gas emissions savings criteria (evidence viii).
- Decree No. 2021-1903 of 30 Decembre 2021 for the application of ordinance No. 2021-235 of 3 March 2021. The decree implements, *inter alia*, criteria for sustainability and for the reduction of greenhouse gas emissions from biofuels, bioliquids and fuels or fuels derived

from biomass (evidence ix).

- Order of 1 February 2023 on the criteria for sustainability and greenhouse gas emissions reductions for the production of heat and cold from bioliquids or solid or gaseous fuels from biomass, which specifies the terms of implementation of Ordinance No. 2021-235 and Decree No. 2021-1903, including the methodology for calculating greenhouse gas emissions, and the content of sustainability certificates and declarations by operators (evidence x).
- Order of 1 February 2023 for the application of the ordinance and decree transposing Directive 2018/2001/EC of the European Parliament and of the Council of 11 December 2018 relating to the promotion of the use of energy produced from renewable sources. The decree implements criteria for sustainability and reduction of greenhouse gas emissions from biofuels, bioliquids and fuels or fuels derived from biomass (evidence xi).

The terms of reference of the call for projects 'BCIAT', targeting biomass projects, explicitly recall that projects must comply with Ordinance No. 2021-235 of 3 March 2021 transposing the sustainability aspect of bioenergy from Directive 2018/2001/EU (REDII) of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy produced from renewable sources (page 8, evidence v). Therefore, the obligation to comply with Directive 2018/2001/EU (REDII) is set out in law at national level.

The ADEME controls the compliance of the biomass resources of projects with REDII at the time of payment requests, in line with the requirements of Article L. 281-3 of the energy code, created by Ordinance No. 2021-235 of 3 March 2021. Under these controls, beneficiaries must submit a templated sustainability declaration form (evidence xii). The form must cover all biomass supplies for the year 2023. Where relevant, beneficiaries must also provide (in free form) greenhouse gas emissions calculations.

**Furthermore, in line with the description of the measure, the scheme shall be implemented by ADEME (Agency for the Ecological Transition), which acts as an operator on behalf of the General Secretariat for Investment (SGPI).**

The three calls for proposals launched under the measure were issued by ADEME (evidence v, vi and vii). The contracts issued by ADEME provided for the eight projects submitted to demonstrate the satisfactory fulfilment of the milestone are between ADEME and the beneficiaries of the support, confirming that ADEME implements the scheme (evidence iv).

**Furthermore, in line with the description of the measure, the measure shall support investments in decarbonising industrial heat, energy efficiency and process change investments in industry to reduce fossil energy consumption. Consequently, it is expected to reduce greenhouse gas emissions.**

**Furthermore, in line with the description of the measure, the investment shall be funded through calls for project in three categories: 1) Production of biomass heat. 2) Large-scale projects (over EUR 3 million) on energy efficiency and improvement of industrial processes. These investment projects shall reduce fossil energy consumption through single or combined investments, such as projects in energy efficiency, waste heat recovery, changes in production processes and electrification. 3) Small decarbonisation projects mainly carried out by SMEs. These projects shall cover similar types of investments as sub-measure 2), but for smaller projects (under EUR 3 million).**

France provided the terms of reference of the three calls launched under the measure:

- The call for proposal 'BCIAT' for biomass projects ('*Volet 1: Chaleur Bas Carbone par conversion à la biomasse*') aims to support biomass projects aimed at supplying heat to manufacturing industries (page 4, evidence v).
- The call for proposals for large-scale decarbonisation projects 'DECARB IND' ('*Volet 2: Efficacité énergétique et décarbonation des procédés*') aims to support the rapid implementation of industrial projects to reduce dependence on fossil fuels or inputs, and in particular natural gas natural, through the implementation of decarbonisation operations and targets projects over EUR 3 million (page 6, evidence vi).
- The call for proposals for small-scale decarbonisation projects 'DECARB FLASH' ('*Volet 3: Déploiement rapide de la décarbonation en Industrie*') aims to support operations leading to a reduction in greenhouse gas emissions, in particular by reducing the consumption of fossil fuels or inputs, whether at the level of industrial processes or equipment producing industrial utilities, insulation of industrial buildings or their heating using renewable energies, for projects under EUR 3 million (page 3, evidence vii).

The eligible activities under the calls, through the gains in primary energy from fossil fuel, will also lead to reductions in greenhouse gas emissions. The contracts issued by ADEME provided for the eight projects submitted to demonstrate the satisfactory fulfilment of the milestone (evidence iv) specify both the expected GWh of primary energy reduction from fossil fuel per year, as well as the expected reduction in tons of CO2 emissions.

**Commission Preliminary Assessment:** Satisfactorily fulfilled

<b>Number:</b> 10-10	Related Measure: C10.I3 Thermal renovation of public buildings		
<b>Name of the Target:</b> Renovation projects of public sites belonging to the State, for which the renovation works contract has been notified			
<b>Quantitative Indicator:</b> Number	<b>Baseline:</b> 0	<b>Target:</b> 1 000	<b>Time:</b> Q4 2023
<p><b>Context:</b></p> <p>The objective of this investment is to support the thermal renovation of public buildings belonging to the State, in order to reduce in the very short term the energy consumption of the State's building stock and its dependence on fossil fuels.</p> <p>Target 10-10 requires that for 1 000 renovation projects of public sites belonging to the State, at least one energy renovation works contract has been notified.</p> <p>Target 10-10 is the first step of the implementation of the investment and it will be followed by target 10-11 related to the completion of energy renovation projects of 900 buildings belonging to the State. The investment has a final expected date for implementation in Q1 2025.</p>			
<p><b>Evidence Provided:</b></p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> <li>i. Summary document duly justifying how the target was satisfactorily fulfilled and including two</li> </ol>			

links on the Department of State Real Estate ('DIE', Direction de l'Immobilier de l'Etat) website to the two calls for projects 'Résilience I' and 'Résilience II' on which basis the projects were selected.

- ii. An Excel file that includes all the projects selected by the call for projects 'Résilience I'.
- iii. An Excel file that includes all the projects that have been selected by the call for projects 'Résilience II'.
- iv. An Excel file extracted from the Information System of the Department of State Real Estate ('DIE', Direction de l'Immobilier de l'Etat) of the Ministry of Economy and Finance, that includes the projects selected by the two calls for projects for which at least one renovation works contract has been notified. The Excel file includes:
  - a. the location of the project (columns B to D);
  - b. the recipient (columns E to F);
  - c. the expected completion date (column G);
  - d. the type of renovation work carried-out (column H);
  - e. the call for projects from which the project was selected (column I).

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

- v. An Excel file that includes for all projects:
  - a. the start date of at least one contract for renovation work (column C);
  - b. a link to the project selection under 'Résilience I' or 'Résilience II' (column D).
- vi. Evidence proving the notification of at least one renovation works contract and that these contracts cover thermal renovation works, e.g. purchase order ('bons de commande'), service order ('ordre de service'), commitment forms ('actes d'engagement'), formal acceptance of quotations, minutes of reception works procedures ('procès verbal de réception de travaux'), certificate of exchanges ('attestation des échanges'), etc.
- vii. Evidence proving that the building belongs to the State, e.g. screenshots from the information system 'infocentre' which is an official database of the public finance department ('DGFIP', Direction Générale des Finances Publiques), attesting to the ownership or control of the sampled sites by the State or by the public institution as well as an Excel table that includes the Chorus codes of the sampled sites and buildings.

#### **Analysis:**

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

**Number of renovation projects of public sites belonging to the State, for which at least one renovation works contract has been notified.**

**Furthermore, in line with the description of the measure, this measure shall support the thermal renovation of public buildings belonging to the State.**

The Excel list of recipients (see evidence iv) includes 1421 energy renovation projects of public buildings owned by the State. This list is extracted from the Information System of the Department of State Real Estate ('DIE', Direction de l'Immobilier de l'Etat), in charge of buildings belonging to the State, and specifies the Ministry and State service to which the building belongs (columns E and F) as well as the types of renovation works carried out (column H). Screenshots from the 'infocentre' of the public finance department ('DGFIP', Direction Générale des Finances Publiques) confirm the buildings or sites belong to the State (see evidence vii). These include the identifying code of invoices ('Chorus code') that are electronically submitted to the French public administration on their financial



information system 'Chorus' and the site name at which the works are taking place.

The evidence (see evidence vi) provided for a sample of 60 units confirmed that this requirement of the target has been met.

**Furthermore, in line with the description of the measure, all projects shall have at least one notified renovation works contract before the end of 2023.**

The evidence provided for a sample of 60 units confirmed that this requirement of the target has been met (see evidence vi): several types of supporting documents indicate the date of notification for the renovation works. This can be verified by either the delivery date or dated signature indicated on purchase orders, service orders, and commitment forms.

**Furthermore, in line with the description of the measure, projects shall be selected by two calls for projects ('Résilience I' and 'Résilience II').**

Column I of the Excel list of recipients (see evidence iv) shows that all 1421 projects have been selected by one of the two calls for projects, 'Résilience I' or 'Résilience II'.

The evidence (see evidence v) provided for a sample of 60 units confirmed that this requirement of the target has been met.

**Commission Preliminary Assessment:** Satisfactorily fulfilled