

Proposal for a REGULATION establishing a Recovery and Resilience Facility - 2020/0104 (COD)

Deadline: 20 July 2020 17:00 CET

	Commission proposal	Drafting Suggestions	Comments
1.	<u>ANNEX II</u> Assessment guidance for the Facility		
2.	1. Scope		
3.			
4.	The purpose of these assessment guidelines is to serve together with this Regulation as a basis for the Commission to assess - in a transparent and equitable manner - the proposals for recovery and resilience plans put forward by Member States and to determine the financial contribution in conformity with the objectives and any other relevant requirements laid down in this Regulation. These guidelines notably represent the basis for the application of the assessment criteria and the determination of the financial contribution as referred to, respectively, in Articles 16(3) and 17(3).		
5.			
6.	The assessment guidelines are designed to:		
7.			
8.	(a) give further guidance on the assessment process of the proposals for recovery and resilience plans submitted by Member States;		
9.			
10.	(b) provide further details on the assessment criteria and provide for a rating system, to be established with a view to ensuring an		

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	equitable and transparent process; and		
11.			
12.	(c) define the link between the assessment to be made by the Commission under the assessment criteria and the determination of the financial contribution to be set out in the Commission decision in relation to the recovery and resilience plans selected.		
13.			
14.	The guidelines are a tool to facilitate assessment by the Commission of the proposals for-recovery and resilience plans as submitted by Member States, and to ensure that the recovery and resilience plans support reforms and public investment that are relevant and display high added value, while ensuring equal treatment among the Member States.		
15.			
16.	2. Assessment criteria		
17.			
18.	In accordance with Article 16(3), the Commission shall assess the importance and coherence of the recovery and resilience plans, and its contribution to the green and digital transitions, and for that purpose, it shall take into account the following criteria:	In accordance with Article 16(3), the Commission shall assess the importance and coherence of the recovery and resilience plans, and its contribution to the green and digital transitions, and for that purpose, it shall take into account the following criteria:	The Netherlands does not see coherence of reforms and investment projects as a necessary prerequisite. Reforms and investment projects are both essential and should be judged on their own merits.
19.			

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20.	<p>(a) whether the recovery and resilience plan is expected to contribute to effectively address challenges identified in the relevant country-specific recommendations addressed to the Member State concerned or in other relevant documents officially adopted by the Commission in the European Semester;</p>	<p>(a) whether the recovery and resilience plan is expected to contribute to effectively address challenges identified in the relevant country-specific recommendations of the current and previous two years, addressed to the Member State concerned or in other relevant documents officially adopted by the Commission in the European Semester;</p>	<p>In order to ensure an effective contribution to challenges in the European Semester, the assessment of the recovery and resilience plans should focus on the CSRs, including the CSRs for 2019. Merely referring to “relevant CSR’s” is too vague in this respect. The paragraph should make explicit that addressing CSR’s from previous years is a pre-condition. The 2020 CSR’s focus on tackling the socio-economic impacts of the pandemic and facilitating the economic recovery. The 2019 CSR’s covered reforms that are essential to address medium- to long-term structural challenges, that remain pertinent. The same applies to the reference to “other relevant documents”, that blurs a common understanding of what member states have to comply with in their reform plans.</p>
21.			

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22.	whether the plan contains measures that effectively contribute to the green and the digital transitions or to addressing the challenges resulting from them;	(...) (b) whether the plan contains measures that effectively contribute to the green transition and the digital transitions or to addressing the challenges resulting from them.	In order to ensure an effective contribution to the digital and green transitions, the assessment of the recovery and resilience plans should be based on separate criteria for these transitions.
23.		(new) whether the plan contains measures that effectively contribute to the digital transition or to addressing the challenges resulting from them. (new) whether the plan is in line with the Paris Agreement, the Green Deal (do no harm), National Energy and Climate Plans, Just Transition Plans and the climate and environmental elements of the European Semester will be used to assess the plan.	In line with the contribution to the green transition, the recovery and resilience plans should be in line with the Paris Agreement, Green Deal, NECPs, Just Transition Plans and environmental elements of the European Semester.
24.	whether the recovery and resilience plan is expected to have a lasting impact on the Member State concerned;		
25.			
26.	whether the recovery and resilience plan is expected to effectively contribute to strengthen the growth potential, job creation, and economic and social resilience of the Member State, mitigate the economic and social impact of the crisis, and contribute to enhance economic, social and territorial cohesion;		
27.			
28.	whether the justification provided by the Member State on the		

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	amount of the estimated total costs of the recovery and resilience plan submitted is reasonable and plausible and is commensurate to the expected impact on the economy and employment;		
29.			
30.	whether the recovery and resilience plan contains measures for the implementation of reforms and public investment projects that represent coherent actions;	whether the recovery and resilience plan contains measures for the implementation of reforms and public investment projects that represent coherent actions;	The Netherlands does not see coherence of reforms and investment projects as a necessary prerequisite. Reforms and investment projects are both essential and should be judged on their own merits.
31.			
32.	whether the arrangements proposed by the Member States concerned are expected to ensure an effective implementation of the recovery and resilience plan, including the envisaged timetable, milestones and targets, and the related indicators.		
33.			
34.	As a result of the assessment process, the Commission shall give ratings to the recovery and resilience plans submitted by the Member States, under each of the assessment criteria referred to in Article 16(3), in order to assess the importance and coherence of the plans and with a view to establishing the financial allocation in accordance with Article 17(3).	As a result of the assessment process, the Commission shall give ratings to the recovery and resilience plans submitted by the Member States, under each of the assessment criteria referred to in Article 16(3), in order to assess the importance and coherence of the plans and with a view to establishing the financial allocation in accordance with Article 17(3).	The Netherlands does not see coherence of reforms and investment projects as a necessary prerequisite. Reforms and investment projects are both essential and should be judged on their own merits.
35.			

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36.	For the sake of simplification and efficiency, the rating system shall range from A to C, as set out in the following:	The rating system should be more objective (for example based on benchmarks). The rating large, moderate, small is too subjective. The required A-rating on 2.1 and 2.2 should not be weakened.
37.		
38.	2.1 The recovery and resilience plan is expected to contribute to effectively address challenges identified in the relevant country-specific recommendations addressed to the Member State concerned or in other relevant documents officially adopted by the Commission in the European Semester.	2.1 The recovery and resilience plan is expected to contribute to effectively address challenges identified in the relevant country-specific recommendations of the current and previous two years , addressed to the Member State concerned or in other relevant documents officially adopted by the Commission in the European Semester. <i>See comment in line 20.</i>
39.		
40.	The Commission shall take into account the following elements for the assessment under this criterion:	
41.	<i>Scope</i>	
42.		
43.	- The recovery and resilience plan is expected to contribute to effectively address challenges identified in the relevant country-specific recommendations, including fiscal aspects, or in other relevant documents officially adopted by the Commission in the European Semester addressed to the Member States concerned,	- The recovery and resilience plan is expected to contribute to effectively address challenges identified in the relevant country-specific recommendations of the current and previous two years , including fiscal aspects, or in other relevant documents officially adopted See comment in line 20.

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			by the Commission in the European Semester addressed to the Member States concerned.	
44.				
45.	and,			
46.				
47.	- these challenges are considered as significant to boost the growth potential of the economy of the Member State concerned,			
48.				
49.	and,			
50.				
51.	Following the completion of the proposed reforms and investments, the related challenges would be expected to have been resolved or addressed in a satisfactory manner.			
52.				
53.	and			
54.				
55.	- The recovery and resilience plan represents a comprehensive and adequate response to the economic and social situation of the Member State concerned;			
56.				
57.	Rating			
58.				
59.	A – The recovery and resilience plan contributes to effectively	A – The recovery and resilience plan contributes to	effectively	See comment in line 20

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	address challenges identified in the CSRs, or in other relevant documents officially adopted by the Commission in the European Semester, and the plan represents an adequate response to the economic and social situation of the Member State concerned.	effectively addresses challenges identified in the CSRs of the current and previous two years, or in other relevant documents officially adopted by the Commission in the European Semester, and the plan represents an adequate response to the economic and social situation of the Member State concerned.	
60.			
61.	B – The recovery and resilience plan contributes to partially address challenges identified in the CSRs, or in other relevant documents officially adopted by the Commission in the European Semester and the plan represents a partially adequate response to the economic and social situation of the Member State concerned.	B – The recovery and resilience plan contributes to partially addresses challenges identified in the CSRs of the current and previous two years, or in other relevant documents officially adopted by the Commission in the European Semester and the plan represents a partially adequate response to the economic and social situation of the Member State concerned.	
62.			
63.	C – The recovery and resilience plan does not contribute to address any challenges identified in the CSRs, or in other relevant documents officially adopted by the Commission in the European Semester and the plan does not represent an adequate response to the economic and social situation of the Member State concerned.	C – The recovery and resilience plan does not contribute to address any challenges identified in the CSRs of the current and previous two years or in other relevant documents officially adopted by the Commission in the European Semester and the plan does not represent an adequate response to the economic and social situation of the Member State concerned.	
64.		<u>New (2.1.2) in case a member state is experiencing imbalances or excessive imbalances as concluded by the Commission after an in-depth review, the reform.</u>	This is a consequence of our text proposals for article 16.3, adding new criteria (a.1) and (a.2) (line

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		<p><u>plan and investment plan is expected to address the recommendations made under Article 6 of Regulation (EU) No 1176/2011.</u></p> <p><u>Rating</u></p> <p><u>A Effectively addresses (etc)</u></p> <p><u>B Partially addresses(etc)</u></p> <p><u>C Does not address (etc)</u></p> <p><u>New (2.1.3) the reform plan and investment plan is expected to address the country-specific recommendations stemming from the Stability and Growth Pact.</u></p> <p><u>Rating</u></p> <p><u>A Effectively addresses (etc)</u></p> <p><u>B Partially addresses(etc)</u></p> <p><u>C Does not address (etc)</u></p>	<p>282 of our text proposals of 06.07.20).</p>
65.	<p><i>2.2 The plan contains measures that effectively contribute to the green and the digital transitions or to addressing the challenges resulting from them.</i></p>	<p><i>2.2.1 The plan contains measures that effectively contribute to the green and the digital transitions or to addressing the challenges resulting from them <u>it</u>.</i></p>	
66.			
67.	<p>The Commission shall take into account the following elements for</p>		

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	the assessment under this criterion:		
68.			
69.	<i>Scope</i>		
70.			
71.	- the implementation of the envisaged measures is expected to significantly contribute to establish climate- and environmental-friendly systems and to the greening of economic or social sectors with a view to contribute to the overall objective of a climate-neutral Europe by 2050;	- the implementation of the envisaged measures is expected to significantly contribute to establish climate- and environmental-friendly systems and to the greening of economic or social sectors with a view to contribute to the overall objective of a climate-neutral Europe by 2050; The National Energy and Climate Plans, Just Transition Plans and the climate and environmental elements of the European Semester will be used to assess the plan.	
72.			
73.	or		
74.			
75.	- the implementation of the envisaged measures is expected to significantly contribute to the digital transformation of economic or social sectors;	-the implementation of the envisaged measures is expected to significantly contribute to the digital transformation of economic or social sectors;	
76.	or		
77.			
78.	- the implementation of the envisaged measures is expected to significantly contribute to address the challenges resulting from the green and/or digital transitions	-the implementation of the envisaged measures is expected to significantly contribute to address the challenges resulting from the green and/or digital	

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		transitions	
79.			
80.	and		
81.		- <u>at least 30% of the total allocation is dedicated to the climate.</u>	Must be congruent with the number that comes out of EUCCO negotiations (most recent negotiation mentions 30%).
82.	- the implementation of the envisaged measures is expected to have a lasting impact.		
83.			
84.	Rating		
85.			
86.	A – To a large extent		
87.			
88.	B – To a moderate extent		
89.			
90.	C – To a small extent		
91.		- <u>2.2.2 (NEW) The plan contains measures that effectively contribute to the digital transition or to addressing the challenges resulting from it.</u> <u>The Commission shall take into account the following elements for the assessment under this</u>	

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		<p><u>critera:</u></p> <p><u>Scope</u></p> <p><i>- the implementation of the envisaged measures is expected to significantly contribute to the digital transformation of economic or social sectors;</i></p> <p><i>and</i></p> <p><i>- the implementation of the envisaged measures is expected to have a lasting impact.</i></p> <p><u>Rating</u></p> <p><i>A – To a large extent</i></p> <p><i>B – To a moderate extent</i></p> <p><i>C – To a small extent</i></p>	
92.	2.3 The recovery and resilience plan is expected to have a lasting impact on the Member State concerned		Please clarify/elaborate on the definition of a 'structural change'.
93.			
94.	The Commission shall take into account the following elements for the assessment under this criterion:		
95.			
96.	<i>Scope</i>		
97.			
98.	- the implementation of the envisaged measures is expected to bring about a structural change in the administration or in relevant institutions;		
99.			
100.	or		

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101.		
102.	- the implementation of the envisaged measures is expected to bring about a structural change in relevant policies;	
103.		
104.	and	
105.		
106.	- the implementation of the envisaged measures is expected to have a lasting impact.	
107.		
108.	<i>Rating</i>	
109.		
110.	A – To a large extent	
111.		
112.	B – To a moderate extent	
113.		
114.	C – To a small extent	
115.		
116.	<i>2.4 The recovery and resilience plan is expected to effectively contribute to strengthen the growth potential, job creation, and economic and social resilience of the Member State, mitigate the economic and social impact of the crisis, and contribute to enhance economic, social and territorial cohesion.</i>	What is specifically assessed with this criterion? More specifically, what is the relation of 2.4 to 2.1? More specifically, the dimensions under 2.4 are used for the formulation of CSRs under 2.1.

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			This creates a risk of overlap and of scoring high too easily on 2.4, thereby biasing the overall score.
117.			
118.	The Commission shall take into account the following elements for the assessment under this criterion:		
119.			
120.	<i>Scope</i>		
121.			
122.	- the recovery and resilience plan contains measures that aim at addressing weaknesses of the economy of the Member States and at boosting the growth potential of the economy of the Member State concerned, stimulating job creation and mitigating the adverse effects of the crisis, while avoiding adverse impacts of those measures on climate and environment.		
123.			
124.	and		
125.			
126.	- the recovery and resilience plan is aimed at reducing the vulnerability of the economy of the Member State to shocks,		
127.			
128.	or		
129.			
130.	- the recovery and resilience plan is aimed at increasing the capacity		

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	of the economic and/or social structures of the Member State to adjust to and withstand shocks		
131.			
132.	and		
133.			
134.	the recovery and resilience plan is expected to contribute to enhancing economic, social and territorial cohesion		
135.			
136.	Rating		
137.			
138.	A – High expected impact on growth potential and economic and social resilience, and on cohesion		
139.			
140.	B – Medium expected impact on growth potential and economic and social resilience, and on cohesion		
141.			
142.	C – Low expected impact on growth potential and economic and social resilience, and on cohesion		
143.			
144.	2.5 The justification provided by the Member State on the amount of the estimated total costs of the recovery and resilience plan is reasonable and plausible and is commensurate to the expected impact on the economy and employment.		
145.			

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146.	The Commission shall take into account the following elements for the assessment under this criterion:		
147.			
148.	<i>Scope</i>		
149.			
150.	- the Member State provided sufficient information and evidence that the amount of the estimated total cost of the recovery and resilience plan is appropriate (“reasonable”);		
151.			
152.	and		
153.			
154.	- the Member State provided sufficient information and evidence that the amount of the estimated total cost of the recovery and resilience plan is in line with the nature and the type of the envisaged reforms and investments (“plausible”).		
155.			
156.	and		
157.			
158.	- the Member State provided sufficient information and evidence that the amount of the estimated total cost of the recovery and resilience plan to be financed under the instrument is not covered by existing or planned Union financing.		
159.			
160.	and		

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161.			
162.	- the amount of the estimated total cost of the recovery and resilience plan is commensurate to the expected impact of the envisaged measures included in the plan on the economy of the Member State concerned.		
163.			
164.	Rating		
165.			
166.	A – To a high extent		
167.			
168.	B – To a medium extent		
169.			
170.	C – To a low extent		
171.			
172.	<i>2.6. The recovery and resilience plan contains measures for the implementation of reforms and public investment projects that represent coherent actions.</i>	<i>2.6. The recovery and resilience plan contains measures for the implementation of reforms and public investment projects that represent coherent actions.</i>	The Netherlands does not see coherence of reforms and investment projects as a necessary prerequisite. Reforms and investment projects are both essential and should be judged on their own merits.
173.			
174.	The Commission shall take into account the following elements for the assessment under this criterion:	The Commission shall take into account the following elements for the assessment under this criterion:-	

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175.		
176.	<i>Scope</i>	<i>Scope</i>
177.		
178.	- the recovery and resilience plan includes measures that contribute to reinforce the effects of one another.	-the recovery and resilience plan includes measures that contribute to reinforce the effects of one another.
179.		
180.	<i>Rating</i>	<i>Rating</i>
181.		
182.	A – To a high extent	A – To a high extent
183.		
184.	B – To a medium extent	B – To a medium extent
185.		
186.	C – To a low extent	C – To a low extent
187.		
188.	<i>2.7 The arrangements proposed by the Member States concerned are expected to ensure effective implementation of the recovery and resilience plan, including the proposed milestones and targets, and the related indicators</i>	
189.		
190.	The Commission shall take into account the following elements for the assessment under this criterion:	
191.		
192.	<i>Scope</i>	

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193.		
194.	- a structure is tasked within the Member State with: (i) the implementation of the recovery and resilience plan; (ii) the monitoring of progress on milestones and targets; and (iii) the reporting;	
195.		
196.	and	
197.		
198.	- the proposed milestones and targets are clear and realistic; and the proposed indicators are relevant, acceptable and robust;	
199.		
200.	and	
201.		
202.	- the overall arrangements, proposed by the Member States in terms of organisation (including provision to ensure sufficient staff allocation) of the implementation of the reform and investment, are credible.	
203.		
204.	Rating	
205.		
206.	A – Adequate arrangements for effective implementation	
207.		
208.	B – Minimum arrangements for effective implementation	

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209.			
210.	C – Insufficient arrangements for effective implementation		
211.			
212.	3. Determination of the financial contribution under the budgetary instrument for recovery and resilience		
213.			
214.	In accordance with Article 17(3), the Commission shall determine the financial contribution taking into account the importance and coherence of the recovery and resilience plan proposed by the Member State concerned, as assessed under the criteria set out in Article 17(3). For that purpose, it shall apply the following criteria:		
215.			
216.	(b) where the recovery and resilience plan complies satisfactorily with the criteria set out in Article 16(3), and the amount of the estimated total costs of the recovery and resilience plan is equal to, or higher than the maximum financial contribution for that Member State referred to in Article 10, the financial contribution allocated to the Member State concerned shall be equal to the total amount of the maximum financial contribution referred to in Article 10;		
217.			
218.	where the recovery and resilience plan complies satisfactorily with the criteria set out in Article 16(3), and the amount of the estimated total costs of the recovery and resilience plan is lower than the maximum financial contribution for that Member State referred to in		

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	Article 10, the financial contribution allocated to the Member State shall be equal to the amount of the estimated total costs of the recovery and resilience plan;		
219.			
220.	where the recovery and resilience plan does not comply satisfactorily with the criteria set out in Article 16(3), no financial contribution shall be allocated to the Member State concerned.		
221.			
222.	For the purpose of the implementation of this subparagraph, the following formulas shall apply:		
223.			
224.	– for (a) above:		
225.			
226.	for (b) above:		
227.			
228.	where:		
229.			
230.	<i>i</i> refers to the Member State concerned		
231.			
232.	<i>MFC</i> is the maximum financial contribution for the Member State concerned		
233.			
234.	<i>C</i> is the amount of the estimated total costs of the recovery and		

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	resilience plan		
235.			
236.	As a result of the assessment process, and taking into account the ratings:		
237.			
238.	The recovery and resilience plan complies satisfactorily with the assessment criteria:		
239.			
240.	If the final rating for criteria 2.1 to 2.7 includes scores with:		
241.			
242.	- an A for criteria 2.1 and 2.2;		- an A for criteria 2.1, 2.1.1.2 (new), 2.1.3 (new) and 2.2;
243.			
244.	and for the other criteria:		
245.			
246.	- all A's,		
247.			
248.	or		
249.			
250.	- a majority of A's over B's and no C's,		
251.			
252.	The recovery and resilience plan does not comply satisfactorily with the assessment criteria:		
253.			

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254.	If the final rating for criteria 2.1 to 2.7 includes scores with:	
255.		
256.	- not <i>an</i> A in criteria 2.1 and 2.2;	
257.		
258.	and for the other criteria:	
259.		
260.	- a majority of B's over A's	
261.		
262.	or	
263.		
264.	- at least one C	
265.		
266.	<u>ANNEX III</u> Indicators	General comment: the indicators should be discussed with experts (for example in LIME).
267.	The achievement of the objectives referred to in Articles 4 shall be measured on the basis of the following indicators, broken down by Member State and by area of intervention.	
268.		
269.	Indicators shall be used in accordance with data and information available, including quantitative and/or qualitative data.	
270.		

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271.	Output indicators:		
272.			
273.	(c) number of recovery and resilience plans as approved in the implementing act of the Commission;		
274.			
275.	(d) overall financial contribution allocated to the recovery and resilience plan;		
276.			
277.	Result indicators:		
278.			
279.	number of recovery and resilience plans implemented, _		Insufficient as impact assessment. Tailor made result indicators for the recovery and resilience plans should be added and discussed in LIME.
280.			
281.	<u>Impact indicators established by this Regulation</u>		
282.			
283.	The objectives set in the recovery and resilience plan, which have been achieved due, inter alia, to the overall financial support (including, where appropriate, the loan support) received under the Recovery and Resilience Facility established by this Regulation;		
284.			
285.	The ex-post evaluation referred to in Article 25 shall be undertaken		

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	<p>by the Commission also with the purpose of establishing the links between the overall financial support (including, where appropriate, the loan support) from Recovery and Resilience Facility and the implementation of the relevant measures in the Member State concerned with a view to enhancing recovery, resilience, sustainable growth, jobs and cohesion.</p>		
286.			
287.		End	End