EUROPEAN
COMMISSION

Brussels, 18.12.2024
COM(2024) 591 final

2024/0327 (NLE)

Proposal for a

COUNCIL IMPLEMENTING DECISION

amending Implementing Decision (EU) (ST 10152/2021; ST10152/2021 ADD1) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Greece

{SWD(2024) 288 final}

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amending Implementing Decision (EU) (ST 10152/2021; ST10152/2021 ADD1) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Greece

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility[1], and in particular Article 20(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Following the submission of the national recovery and resilience plan ('RRP') by Greece on 27 April 2021, the Commission has proposed its positive assessment to the Council. The Council approved the positive assessment by means of the Council Implementing Decision of 13 July 2021[2]. That CID was amended on 8 December 2023 and on 16 July 2024[3].

(2) On 21 October 2024, Greece made a reasoned request to the Commission to make a proposal to amend the Council Implementing Decision of 13 July 2021 in accordance with Article 21(1) of Regulation (EU) 2021/241 on the grounds that the RRP is partially no longer achievable because of objective circumstances. On that basis, Greece has submitted an amended RRP.

Amendments based on Article 21 of Regulation (EU) 2021/241

(3) The amendments to the RRP submitted by Greece because of objective circumstances concern 24 measures.

(4) Greece has explained that milestone 33 and target 36 and requirements set out in the description of measure 16874 (Energy and entrepreneurship) under component 1.2 (Renovate) are partially no longer achievable because of lack of demand. On this basis, Greece has requested to decrease the scopes of the aforementioned milestone

[1] OJ L 57, 18.2.2021, p. 17.

[2] See documents ST 10152 2021 and ST 10152 2021 ADD 1 at http://register.consilium.europa.eu.

[3] See documents ST 15831 2023 and ST 15831 2023 ADD 1 and ST 11858 2024 and ST 11858 2024 ADD 1 at http://register.consilium.europa.eu.

and target. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(5) Greece has explained that milestone 38 of measure 16873 (Interventions in residential areas and in the building stock) under component 1.2 (Renovate) is partially no longer achievable because of legal issues with one sub-project, not initially foreseen. On this basis, Greece has requested to decrease the scope of the aforementioned milestone. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(6) Greece has explained that four measures have been amended to implement better alternatives to achieve the original ambition of those measures. This concerns, respectively, milestone 142a and new milestone 142b and the description of measure 16746 (Reform of Passive Labour Market Policies to Support Transitions to Employment) under component 3.1 (Promote job creation and participation in the labour market); milestone 146 of measure 16792 (Labour force skilling, reskilling and upskilling through a reformed training model) under component 3.2 (Education, vocational education and training, and skills); measure description and target 162 of measure 16820 (Reform in the fields of mental health and addictions) under component 3.3 (Improve resilience, accessibility and sustainability of healthcare); and targets 326, 326a, 327, 327a, 328, 328a, 329 and 330 and the description of measure 16980 (Loan Facility) under component 4.7 (Improve competitiveness and promote private investments and exports). On this basis, Greece has requested to amend the aforementioned milestones, targets and measures. Specifically, Greece has proposed to add a new milestone 142b to substitute part of milestone 142a of measure 16746, in order to take into account of the results of an upcoming study. Furthermore, Greece has proposed to expand the scope of measure 16820. Furthermore, Greece has proposed to change part of the scope of milestone 146 of measure 16792, which can be better delivered through other means. Furthermore, Greece has proposed to revise targets 326, 326a, 327, 327a, 328, 328a, 329 and 330 of measure 16980 in order to fund new critical national priorities. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(7) Greece has explained that 11 measures have been amended to implement a better alternative allowing to reduce the administrative burden, whilst still reaching the objectives of the respective measure. This concerns milestones 147, 150 and 151 of measure 16289 (Strategy for Excellence in Universities & Innovation) under component 3.2 (Education, vocational education and training, and skills); milestone 12 and the description of measure 16901 (Hellenic Electricity Distribution Network Operator (HEDNO) network upgrades aiming at enhancing resilience and protecting the environment), milestone 13 of measure 16900 (Hellenic Electricity Distribution Network Operator (HEDNO) overhead network upgrading in forest areas), and milestone 14 and the description of measure 16899 (Installed capacity increase in Hellenic Electricity Distribution Network Operator (HEDNO) High Voltage/Medium Voltage substations for new RES connection) under component 1.1 (Power up); target 23, target 24, target 25, target 26 and the description of measure 16872 (Energy renovation on residential buildings), and milestone 28, target 29 and the description of measure 16879 (Preparation of Urban Plans in implementation of the urban policy reform) under component 1.2 (Renovate); description of measure 16831 (Produc-E Green) under component 1.3 (Recharge and refuel); the description of measure 16911 (Aerial means for crisis management) under component 1.4 (Sustainable use of resources, climate and resilience and environmental protection); milestone 337 of measure 16985 (Modifications to Greece’s tax policy framework) under component

4.1 (Making taxes more growth friendly and improving tax administration and tax collection); milestones 303 and 308 and the description of measure 16593 (Amendment of the legal framework for the attraction of strategic investment), and milestone 279 of measure 16486 (Museum of underwater antiquities) under component 4.6 (Modernise and improve resilience of key economic sectors). On this basis, Greece has requested to clarify and simplify the text of the milestones in order to remove unnecessary background information or procedural elements that do not contribute to the objectives of the measures, and to clarify that certain elements relate to the objectives or the context of the measures. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

(8) Greece has further requested to use resources freed up by the reduction of measure 16980 (Loan Facility) under component 4.7 (Improve competitiveness and promote private investments and exports), under Article 21 of Regulation (EU) 2021/241 to add three new measures. This concerns new milestones 378, 379, 380 and 381 under measure 16400 (Affordable Housing Program 'MY HOME II') under component 3.4 (Increase access to effective and inclusive social policies); and new milestones 374, 375, 376 and 377 under measure 16401 (Energy Upgrade Program 'UPGRADE MY HOME') under component 1.2 (Renovate). A complementary reform was added with the introduction of new milestones 181 and 181a under measure 16402 (Social and Affordable Housing) under component 3.4 (Increase access to effective and inclusive social policies). Furthermore, Greece has requested to increase the level of required implementation of four measures. This concerns the measure description, target 163, target 164 and target 164a of measure 16756 (Organisational Reforms in the Health System) under component 3.3 (Improve resilience, accessibility and sustainability of healthcare); milestone 62a, milestone 63 and the description of measure 16849 (National Reforestation Plan 'antiNERO') under component 1.4 (Sustainable use of resources, climate resilience and environmental protection); milestone 367, target 369 and the description of measure 16994 (Energy Efficiency and promotion of RES for auto-consumption) under component 5.2 (REPowerEU investments); and milestone 59a of measure 16772 (Waste management law for the implementation of sustainable landfilling and recycling) under component 1.4 (Sustainable use of resources, climate resilience and environmental protection). The Council Implementing Decision of 13 July 2021 should be amended accordingly.

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

(10) The distribution of milestones and targets in instalments should be modified to take into account the amendments to the plan and the indicative timeline presented by Greece.

Commission's assessment

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

Contribution to the green transition including biodiversity

(12) In accordance with Article 19(3), point (e), of and Annex V, criterion 2.5, to Regulation (EU) 2021/241, the amended RRP contains measures that contribute to a large extent (Rating A) to the green transition, including biodiversity, or to addressing the challenges resulting therefrom. The measures supporting climate objectives

account for an amount which represents 38.0% of the amended RRP's total allocation and 81.6% of the total estimated costs of measures in the REPowerEU chapter calculated in accordance with the methodology set out in Annex VI to Regulation (EU) 2021/241. In accordance with Article 17 of Regulation (EU) 2021/241, the amended RRP is consistent with the information included in the National Energy and Climate Plan 2021-2030.

(13) The modified RRP maintains measures supporting the green transition that contribute to achieving the 2030-2050 targets and the objective of EU's climate neutrality by 2050, as well as fostering biodiversity. For instance, the ambition of the reforestation and restoration measure (16849) has been considerably increased in the modified RRP.

(14) In addition to the measures in the original RRP, measures in Greece's REPowerEU chapter considerably reduce the greenhouse gas intensity of energy used in Greece and contribute to achieving the 2030-2050 targets and the Union's objective of climate neutrality by 2050, and hence positively contribute to the green transition. Reforms and investments in the chapter aim to incentivise energy saving measures, diversify energy supplies and accelerate the deployment of renewable energy sources, including establishment of policy tools to promote energy sharing, collective self-consumption and renewable energy communities. Furthermore, REPowerEU measures cover investments aiming to strengthen electricity storage capacity and a reform to promote smart grid technologies and practices in Greece's electricity market. All these measures positively contribute to the green transition in Greece by reducing energy demand, promoting energy efficiency and accelerate the transition from high-emitting energy sources to renewables.

Contribution to the digital transition

(15) In accordance with Article 19(3), point (f), of and Annex V, criterion 2.6, to Regulation (EU) 2021/241, the amended RRP contains measures that contribute to a large extent (Rating A) to the digital transition or to addressing the challenges resulting from it. The measures supporting digital objectives account for an amount which represents 21.4 % of the amended RRP's total allocation calculated in accordance with the methodology set out in Annex VII to that Regulation.

(16) The measures in the modified RRP continue contributing to the digital transition or helping to address the related challenges and address well Greece's shortcomings in the digital field as identified in the second State of the Digital Decade report 2024. The modified RRP continues to significantly address the digital transition challenges faced by Greece in the areas of connectivity, digital public services, human capital and digital skills, digitalisation of businesses and adoption of advanced digital technology.

Do no significant harm

(17) In accordance with Article 19(3), point (d), of and Annex V, criterion 2.4, to Regulation (EU) 2021/241, the amended RRP is expected to ensure that no measure (Rating A) for the implementation of reforms and investments projects included in this RRP does significant harm to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council[7] (the principle of 'do no significant harm').

(18) The modified RRP assesses compliance with the principle of 'do no significant harm' following the methodology set out in the technical guidance provided in the

Commission Notice entitled 'Technical guidance on the application of "do no significant harm" under the Recovery and Resilience Facility Regulation'[4].

(19) Greece submitted an assessment of the principle of 'do no significant harm' for each new and substantially revised measure of the modified RRP. The information provided shows that the RRP is expected to ensure compliance with that principle. The information provided by Greece makes it possible to conclude that the RRP is expected to ensure that none of the measures does significant harm to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852.

Costing

(20) In accordance with Article 19(3), point (i), of and Annex V, criterion 2.9, to Regulation (EU) 2021/241, the justification provided in the amended RRP on the amount of the estimated total costs of the RRP is to a medium extent (Rating B) reasonable and plausible, is in line with the principle of cost efficiency and is commensurate to the expected national economic and social impact.

(21) The justification provided by Greece on the amount of the estimated costs of the RRP was to a medium extent reasonable, plausible, in line with the principle of cost efficiency. Greece provided sufficient information and evidence that estimated costs were not covered by existing or planned Union financing. However, in a limited number of cases, costs estimates could not be sufficiently substantiated. Overall, this warrants a rating of B under the assessment criterion of Article 19(3), point (i) of Regulation (EU) 2021/241.

Positive assessment

(22) Following the positive assessment by the Commission of the amended RRP with the finding that the RRP satisfactorily complies with the criteria for assessment set out in Regulation (EU) 2021/241, in accordance with Article 20(2) of and Annex V to that Regulation, the reforms and investment projects necessary for the implementation of the amended RRP, the relevant milestones, targets and indicators, and the amount made available from the Union for the implementation of the amended RRP in the form of non-repayable financial support should be set out.

Financial contribution

(23) The estimated total costs of Greece's amended RRP is EUR 36 612 904 139. As the amount of the estimated total costs of the amended RRP is higher than the updated maximum financial contribution available for Greece, the financial contribution determined in accordance with Article 20(4) allocated for Greece's amended RRP should be equal to the total amount of the maximum financial contribution available for Greece's amended RRP. This amount is equal to EUR 18 220 378 076.

(24) Council Implementing Decision of 13 July 2021 on the approval of the assessment of the RRP for Greece should therefore be amended accordingly. For the sake of clarity, the Annex to that Council Implementing Decision should be replaced entirely,

Loans

(25) The loan support made available to Greece amounting to EUR 17 727 538 920 remains unchanged.

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[4] OJ C 58, 18.2.2021, p. 1.

(26) Having considered the reasons put forward by Greece, the requests for loan support of other Member States and having applied the principles of equal treatment, solidarity, proportionality and transparency, the amount of the loan support for Greece may exceed the limit of 6.8%, in accordance with Article 14(6) of Regulation (EU) 2021/241.

(27) Council Implementing Decision 12 July 2021 on the approval of the assessment of the RRP for Greece should therefore be amended accordingly. For the sake of clarity, the Annex to that Council Implementing Decision should be replaced entirely.

HAS ADOPTED THIS DECISION:

Article 1

The Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Greece is amended as follows:

Article 1 is replaced by the following:

"Article 1

Approval of the assessment of the RRP

The assessment of the amended RRP of Greece on the basis of the criteria provided for in Article 19(3) of Regulation (EU) 2021/241 is approved. The reforms and investment projects under the RRP, the arrangements and timetable for the monitoring and implementation of the RRP, including the relevant milestones and targets and the additional milestones and targets related to the payment of non-repayable financial support and of the loan, the relevant indicators relating to the fulfilment of the envisaged milestones and targets, and the arrangements for providing full access by the Commission to the underlying relevant data are set out in the Annex to this Decision.'

the Annex is replaced by the text in the Annex to this Decision.

Article 2
Addressee

This Decision is addressed to the Hellenic Republic.

Done at Brussels,

For the Council
The President