7 July 2025

Positive preliminary assessment of the satisfactory fulfilment of milestones and targets related to the fifth instalment of the grant support within the fifth payment request submitted by the Kingdom of Spain on 20 December 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 20 December 2024, Spain submitted a request for payment for the fifth 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, Spain provided due justification of the satisfactorily fulfilment of 69 out of 71 milestones and targets of the fifth instalment of non-repayable support, as set out in Section 2(1)(1.2) of the Council Implementing Decision of 15 July 2021 on the approval of the assessment of the recovery and resilience plan for Spain as amended by Council Implementing Decision of 19 October 2023 14 May 2024, 23 January 2025, 15 May 2025 and 17 June 2025[1].

In its payment request, Spain has confirmed that measures related to previously satisfactorily fulfilled milestones and targets have not been reversed, and that regarding milestone 144, which was considered satisfactorily fulfilled as part of the first payment request of Spain, Spain has been informed by the Commission that this milestone is assessed as no longer satisfactorily fulfilled. The Commission considers that milestone 144 has been reversed and is no longer considered as satisfactory fulfilled. As of the day of the adoption of this assessment, in application of the methodology for the determination of payment suspension under the Recovery and Resilience Facility Regulation, the Commission has suspended an amount of EUR 626 615 891 from the subsequent disbursements related to non-repayable support pursuant to Article 24(6) of Regulation (EU) 2021/241. For other milestones and targets, the Commission does not have evidence that a reversal has occurred.

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 Spain, the Commission has made a positive preliminary assessment of the satisfactory fulfilment of 69 out of 71 milestones and targets.

For 14 milestones and targets covering a large number of recipients, in addition to the summary documents and official listings provided by Spain, Commission services have assessed a statistically significant sample of individual files. The sample size has been uniformly set at 60 which corresponds to a confidence level of 95% or above in all cases.

The milestones and targets positively assessed as part of this payment request demonstrate significant steps in the implementation of Spain's Recovery and Resilience Plan. They notably highlight the continuation of the reform momentum in key policy areas. This includes, among others, reforms related to improving the efficiency of the justice system, the promotion of sustainable finance, the Just transition

[1] ST 10150/21; ST 10150/21 ADD 1 REV 1 as amended by ST 13695/23 REV 1; ST 13695/23 ADD 1 REV 1, ST 9303/24; ST 9303/24 ADD 1, ST 17099/24; ST 17099/24 ADD 1, ST 8053/25; ST 8053/25 ADD 1 and ST 9583/25; ST 9583/25 ADD 1; ST 9583/25 ADD 1 COR 1; ST 10408/25

protocols and the related creation of an advisory council, improving permitting for renewable energy production and electricity network infrastructure and reform of the university system aimed at promoting access to higher education. The milestones and targets also confirm progress towards the completion of investment projects related to, among others, electro-mobility, short distance rail, the protection of marine areas, water and wastewater treatment, renewable energy projects, scientific research, healthcare equipment, and vocational training.

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 target.

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Number and name of the Milestone: ES-C[C1]-I[I1]-T[8], Contracts or other legal instruments awarded for improving state roads in urban areas **Related Measure:** C1.I1 - Low-emission areas and transformation of urban and metropolitan transport

Quantitative Indicator: Contract or other legal instruments

Baseline: 0

Target: 35

Time: Q2 2023

1. Context:

The objective of this measure is to foster the digital and sustainable transformation of transport services, with the aim of contributing to reducing the use of private vehicles in urban environments by 35 % by 2030. The measure shall also cover incentives for the transition to cleaner passenger and freight transport fleets of companies providing transport services. This investment shall be implemented by the local authorities, the Autonomous Communities and the Ministry of Transport, Mobility and Urban Agenda (MITMA)," (currently, the Ministry of Transport and Sustainable Mobility MITMS).

Target 8 concerns the organisation of traffic on urban roads. Investments shall contribute to promoting the mobility of pedestrians and cyclists and other new forms of mobility (scooters) or reducing car spaces and reducing vehicle speed, with the aim of reducing both carbon and air pollutants emissions and noise pollution. In particular, at least 35 contracts or other legal instruments shall be awarded for the improvement of state roads in urban areas. Projects will consist of constructing new cycling lanes, enlarging the pedestrian areas, reducing the parking areas or improving the safety on crossings.

Target 8 is the fifth target of the implementation of investment C1.I1 (Low-emission areas and transformation of urban and metropolitan transport) and it follows the completion of target 7, related to the budget spent in purchases or awarded by municipalities aiming at promoting sustainable mobility. It will be followed by target 9, related to projects completed promoting sustainable mobility, including in urban and metropolitan areas. The investment has a final expected date for implementation in 2025.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. 42 contracts signed between the Directorate-General for Roads and the companies in charge of the projects.

iii. A summary annex containing the following elements: a) the reference and link of the Official Journal or Public Procurement Platform or other official platform where the award has been

published; b) the type of interventions in line with the target description and the road where the action is implemented c) extract of the relevant document that justifies the type of action for which the contract or other legal instrument has been awarded in line with the description of the target.

3. Analysis:

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

At least 35 contracts or other legal instruments awarded for the improvement of state roads in urban areas.

The Directorate-General for Roads has awarded 42 contracts or other legal instruments for the improvement of the state roads in urban areas (see item ii of the evidence provided). All contracts are intended for the humanisation and organisation of traffic on urban roads and they justify the location of the action in the "Purpose of the project" section.

In most cases, the reference to **crossing** is used to identify the section of road in the urban area concerned by the action, as it is the terminology commonly used in the legislation in force in this area.

- General Regulation on Roads (Royal Decree 1812/1994 of 2 September): *Article 122. Definitions:* Urban sections are considered to be those of the State roads that pass through land classified as urban by the relevant urban planning instrument. A crossing is considered to be that part of an urban section where there are buildings consolidated in at least two-thirds of its length and a stretch of streets on at least one of its margins.
- Law on traffic, motor vehicle traffic and road safety (Royal Legislative Decree 6/2015 of 30 October), in *Annex 1. Getting started:* 71. Crossing. Stretch of road running by village. Sections with a road alternative or variant to which it has access shall not be regarded as crossings.

The procurement platform reference number and the link to the recruitment platform provide the required evidence as reflected in point a) of the verification mechanism (the reference and link of the Official Journal or Public Procurement Platform or other official platform where the award has been published); the detail of the road on which the project is implemented and the identification of the project category (justifying the alignment with the objective description in the CID) provide the required evidence as reflected in point b) of the verification mechanism (the type of interventions in line with the target description and the road where the action is implemented) and finally the documentary evidence of the track and project category provide the required evidence as reflected in point c) of the verification mechanism (extract of the relevant document that justifies the type of action for which the contract or other legal instrument has been awarded in line with the description of the target).

Projects will consist of constructing new cycling lanes, enlarging the pedestrian areas, reducing the parking areas or improving the safety on crossings

All contracts or other legal instruments awarded fall within the categories included in the description of the objective.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C1]-I[I2]-T[11] - Award of innovative projects promoting electro-mobility

Related Measure: C1.I2 - Incentive scheme for the installation of recharging points, the purchase of electric and fuel cell vehicles and innovation in electro-mobility, recharging and green hydrogen.

Quantitative Indicator: Million EUR

Baseline: 0

Target: 250

Time: Q2 2023

1. Context:

The measure aims at supporting the compliance with the Spanish National Framework for Alternative Energy in Transport, accelerating the implementation of the National Integrated Energy and Climate Plan and supporting territorial cohesion by electrifying mobility in rural areas. The investment is articulated in different aid schemes that shall incentivise the roll-out of electric vehicle and fuel cell vehicles while encouraging individual innovation projects linked to the electro-mobility, value chain and vehicle fleet renewal at large- including exploiting the green hydrogen technology.

Target 11 concerns the award of at least EUR 250 million in calls supporting innovative projects promoting electro-mobility. The selection criteria used in the calls for proposals to allocate the aid schemes shall include: (I) reduction of environmental impact, (ii) economic-technical feasibility, (iii) level of technological development and innovation, (iv) reproducibility and extensibility, (v) direct and indirect job creation linked to the project, and (vi) impact on the value chain and synergy with other sectors, in particular industry.

Target 11 is the first step of the implementation of investment C1.I2 (Incentive scheme for the installation of recharging points, the purchase of electric and fuel cell vehicles and innovation in electro-mobility, recharging and green hydrogen) and it will be followed by target 12, related to Electric vehicles and recharging points deployed. The investment has a final expected date for implementation in 2025.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. The extract of call specifications for the award decisions demonstrating compliance with the description of the target and investment in the CID.

iii. Proof that selection criteria used in the calls for proposals to allocate the aid schemes shall include: (I) reduction of environmental impact, (ii) economic-technical feasibility, (iii) level of technological

development and innovation, (iv) reproducibility and extensibility, (v) direct and indirect job creation linked to the project, and (vi) impact on the value chain and synergy with other sectors, in particular industry.

iv. The publication of the award of at least EUR 250 million in calls to support innovative projects promoting electro-mobility.

v. Copies of the awarded resolutions available in the electronic headquarters (website), indicating for each of the awards:
    - the unique identifier of the beneficiary;
    - project administrative code);
    - project name;
    - project location;
    - the amount being awarded (excluding VAT)
  - brief description of each project awarded;

3. Analysis:

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

Publication of the award of at least EUR 250 million in calls to support innovative projects promoting electro-mobility. The selection criteria used in the calls for proposals to allocate the aid schemes shall include: (I) reduction of environmental impact, (ii) economic-technical feasibility, (iii) level of technological development and innovation, (iv) reproducibility and extensibility, (v) direct and indirect job creation linked to the project, and (vi) impact on the value chain and synergy with other sectors, in particular industry.

Page 90607 of the OSJ (27 July 2021) -a copy is provided in Annex 3- confirms that the selection criteria used in the calls is in line with the requirement: *(I) reduction of environmental impact, (ii) economic-technical feasibility, (iii) level of technological development and innovation, (iv) reproducibility and extensibility, (v) direct and indirect job creation linked to the project, and (vi) impact on the value chain and synergy with other sectors, in particular industry.*

As regards the award of at least EUR 250 million in calls to support innovative projects promoting electro-mobility, this is confirmed by the resolution to the two calls launched. The first resolution (3.2c_Resoluciion_Proc_Vicepresidente_IDAE.pdf) shows the selected projects (pages 25 to 40, in total 89 projects and 95 beneficiaries) for an overall awarded amount of EUR 100 million; and the second resolution (ResolucionProc_VicePresidenteIDAE_por_delegacion_firmada.pdf) shows the selected projects (pages 20 to 50, 234 projects and 235 beneficiaries) with an overall awarded amount of EUR 264 million.

Therefore, as EUR 364 million was awarded between the two calls, target 11 was met **on 28 June 2023**, within the 2T of 2023.

Subsequent to the granting decisions, there were no-acceptances and waivers which reduced the total amount granted. Thus, following the final decision on the first call in which EUR 100 million was granted, 7 projects did not accept the aid (reducing the amount granted in implementation by EUR 10 050 030 million) and, subsequently, 18 renunciation requests were received (with an additional EUR 19.346.208 reduced by the amount granted in implementation). In this context, as of 20/09/2024, 64 projects were being implemented, with an awarded aid of EUR 70.603.762 and representing 67 beneficiaries (there are three projects that are consortia of two companies).

As regards the second call for applications, following the final decision granting EUR 264 million, 48 files did not accept the aid (reducing the amount granted in implementation by EUR 29.305.488) and subsequently 8 files have waived (with an additional EUR 6.156.979 reduction in the amount granted in implementation). As at 20/09/2024, 178 projects were being implemented, with an awarded aid of EUR 228.537.532. **Therefore, as of 20/09/2024, the value achieved was EUR 299.141.294.**

The target is further specified in the Operational Arrangements, which states that an **approval signed by the competent authority and its publication in the relevant official website shall be considered equivalent to the publication in the OJ.**

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C1]-I[I3]-T[14], Short distance rail lines upgraded

Related Measure: ES-C[1]-I[I3], Measures to improve the quality and reliability of rail transport services

Quantitative Indicator: Number (km)

Baseline: 0

Target: 200

Time: Q2 2023

1. Context:

The investment aims to improve the attractiveness and accessibility of the short distance railway network, so that it becomes the backbone of mobility in urban areas and replaces the use of private vehicles in metropolitan areas.

Target 14 concerns the upgrade of at least 200 km of short distance rail lines. Interventions may include, but are not limited to platform or track renewal, or improvement of the electrification or security and communications/signalling facilities or safety systems. The improvements shall be implemented along the national territory.

Target 14, together with target 15 which concerns the improvement of stations with digitalisation, target 16 which concerns the improvement or the new building of short distance rail lines stations and target 17, which concerns the award of contracts or other legal instruments for investments in short distance rail lines, is the first step in the implementation of the investment. They will be followed by target 18, related to the upgrade of 700 km of short distance rail line, target 19 concerning the improvement of stations with digitalisation and target 20 related to the improvement or the new building of short distance rail lines stations. The overall investment C1.I3 has a final expected date for implementation on 30 June 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii. Copy of the contracts stipulated between ADIF and the service provider executing the works for each of the projects under the target.
iii. Copy of the *'ficha tecnica'* for each of the project under the target provided by ADIF complementing the certificates of completion (*'actas de recepción')*. This document includes the '*Memoria del Proyecto Constructivo'*, which is a contractual document indicating the technical specifications for each of the completed projects.
iv. Copy of the certificates of completion (*'actas de recepción'*) for each of the projects under the target certifying the completion of the projects
v. Link to the publication in the Public Procurement Platform of each of the contracts linked to the projects presented under the target, including to the corresponding final resolution awards
vi. A spreadsheet containing, for each project financed under the target, the individual reference/unique code to the certificates of completion (*'actas de recepción' total o parcial)*' or equivalent, b) the name of the project, c) the location(s) of rail lines being upgraded, d) the

specific type and category of project completed, proving alignment with the description of the target investment in the CID ; e) the kilometres of rail lines being upgraded, f) a brief description of the project proving alignment with the description of the target and investment in the CID.

3. Analysis:

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

At least 200 km of short distance rail lines upgraded

Spain has submitted a spreadsheet which includes the list of projects carried out and individual references to the corresponding certificates of completion (*'acta de recepción'*) (see point iv of the evidence) and contracts (see point ii of the evidence).

Section 2 *'Necesidades a satisfacer y circunstancias del contrato' under the 'Cuadro de caracteristicas del contrato'* of the contracts signed between ADIF and the service providers for each unit submitted under the target indicates the scope of the works and detail the upgrades that the actions would bring to the rail lines. Moreover, the certificates of completion (*'actas de recepción')* (see point iv of the evidence) that Spain submitted to the Commission report the nature of the works executed under every project implemented. Those documents indicate also the date of completion of the works, proving that the works upgrading the short distance rail line have been executed.

The '*Memoria del Proyecto Constructivo*' (see point iii of the evidence), which is part of the contract and has been included as an annex to the '*fichas tecnica'* (see point iii of the evidence), reports the name of and/or the reference to the short distance rail line where the works have been implemented. In particular, the *memoria* refers to upgrades being implemented in the short distance (*Cercanías)* railway lines, and it also specifies the starting point and the ending point of the works along the corresponding rail lines, enabling thus to obtain the length of the railway line upgraded for each project. Based on this primary evidence, the section '*Justificación del valor del indicador físico del contrato*' included in the technical fiches *'fichas tecnica'* (see point iii of the evidence) indicates the total number of kilometres upgraded for each individual project under the relevant short distance rail line, calculated as the difference between the starting and end points of the works identified in the *'Memoria del Proyecto Constructivo'* (see point iii of the evidence).

Spain has also provided, for each project, the official reference and link to the publication of the award resolution in the public procurement platform and the number of kilometres upgraded for each individual project. The spreadsheet also reports a brief description of each project as well as the location where the works upgrading the rail lines have been implemented. Spain has presented 22 projects completed for a total amount of 338,77 kilometres upgraded of short distance rail lines, thereby exceeding the minimum requirement of 200 kilometres set by the target. The total number of kilometres of the projects reported in the spreadsheet amounts to 338,77.

The Commission has verified and confirmed the correspondence between the total length of kilometres upgraded reported in the spreadsheet submitted to the Commission and the specifications of each individual project set out in the *'fichas tecnica'* (see point iii of the evidence) and in the corresponding *'Memoria del Proyecto Constructivo'* (see point iii of the evidence). The Commission also verified and

confirmed the correspondence between the name and/or reference of the short distance rail lines indicated in the '*Memoria del Proyecto Constructivo*' (see point iii of the evidence) with the list of short distance rail lines submitted by Spain to the Commission in December, in the context of the technical revision of the Plan. This confirmed that the works presented by Spain under the target have been executed along short distance rail lines.

Interventions may include, but are not limited, to any of the following: Platform or track renewal, or improvement of the electrification or security and communications/signalling facilities or safety systems

The evidence provided by Spain, namely both the certificates of completion (*'actas de recepción'*) (see point iv of the evidence) and the contract for each of the 22 individual projects indicate the object and the scope of the works to which these documents refer to. Moreover, the *'fichas tecnicas'* (see point iii of the evidence) and their sub-section *'Memoria del proyecto'* (see point iii of the evidence) report a comprehensive and detailed explanation of the works carried out for each of the 22 projects selected by Spain, proving that the interventions completed include, amongst others, platform or track renewals, the improvement of the electrification, the improvement of security and communications/signalling facilities or the improvement of safety systems.

Interventions shall be implemented along the national territory

The award resolution submitted by Spain for every project under the target (see point v of the evidence) reports the place of execution of the works *'Lugar de Ejecución',* indicating that all projects have been executed in Spain. The award resolution also details the municipality in Spain where the works have been carried out. This information confirmed that the projects have been implemented along the national territory.

Furthermore, as indicated by the requirements in the description of the measure, the projects shall be) executed by ADIF/ADIF AV (railway infrastructure manager)

The contracts provided by Spain *'contractos tipo de obras'* (see point ii of the evidence) show that the contracting entities *'partes contratantes'* of each contract were the Public Business Entity Railway Infrastructure Manager –ADIF ('*Entidad publica empresarial administrador de infraestructuras ferroviarias – ADIF')* and the service contractor responsible for the implementation of each project. Moreover, the final award resolutions submitted by Spain (see point v of the evidence) for every project under the target indicate ADIF as the contracting entity.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C1]-I[I3]-T[15] Stations improved with digitalisation

Related Measure: ES-C[1]-I[I3], Measures to improve the quality and reliability of rail transport services

Quantitative Indicator: Number

Baseline: 0

Target: 420

Time: Q2 2023

1. **Context:**

The investment aims to improve the attractiveness and accessibility of the short distance railway network, so that it becomes the backbone of mobility in urban areas and replaces the use of private vehicles in metropolitan areas.

Target 15 concerns the improvement of 420 stations developed by RENFE as SPO operator in all or some of the following fields: a) Digitalization of security systems in stations (such as intelligent video analytics, cybersecurity and fraud control); b) Passenger information systems; c) Improvement of access control to stations; d) Ticket vending machines projects; e) Facilities adaptation

Target 15, together with target 14, which concerns the upgrade of 700 km of short distance rail lines, target 16 which concerns the improvement or the new building of short distance rail lines stations and target 17, which concerns the award of contracts or other legal instruments for investments in short distance rail lines, is the first step in the implementation of the investment. They will be followed by target 18, related to the upgrade of 700 km of short distance rail lines, target 19 concerning the improvement of stations with digitalisation and target 20 related to the improvement or the new building of short distance rail lines stations. The overall investment C1.I3 has a final expected date for implementation on 30 June 2026.

2. **Evidence Provided:**

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii. A spreadsheet containing, for each project financed under the target, the set of information required by the verification mechanism of the Operational Arrangement. These include a) official reference of the certificate of completion of all projects completed to improve the station issued in accordance with national legislation. Specifically, the document used will be the certificate of completion (*'actas de recepción total o parcial*' or equivalent), b) the name of the stations improved, c) the location(s) of the station(s) being improved, d) of the certificate of completion issued in accordance with national legislation.
iii. Copy of the certificates of completion of the works ('*actas de recepción'*, '*acta de recepción' provisional''* or *'acta de recepción' provisional parcial')* for each of the projects under each unit (stations) of the target certifying the completion of the works

iv. Copy of the contracts and framework contracts (‘*acuerdos marco’)* stipulated between RENFE and the service provider executing the works for each of the projects under the target.

v. The underlying *‘contratos pedido’* to the framework contracts (‘*acuerdos marco’)*, which report the and names of the stations where the works they provide for have been implemented and the nature of the works executed

vi. For a number of units under the sample selected by the Commission, the technical specifications (*’especificaciones técnicas’)* related to the corresponding contracts, indicating the name and the geographical locations of the stations where the works provided for in the corresponding contract certificate of completion (‘*acta de recepción’)* were executed.

vii. For a number of units under the sample selected by the Commission, Spain submitted additional pieces of evidence, such as the ‘*acta de certificación’,* indicating the name of the stations where the works linked to the corresponding certificate of completion (*’acta de recepción’)*. Spain has explained that the *actas de certificación* serve as complementary documents to the certificate of completion (*‘actas de recepción’)* as both are used to process the invoicing of the works executed. Spain submitted the ’*acta de certificación’* in those instances where the corresponding certificates of completion (‘*actas de recepción’)* did not specify the name of the stations where the works were implemented.

viii. Link to the RENFE official website showing the maps of the short-distance rail line networks: https://www.renfe.com/es/es/cercanias

3. **Analysis:**

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

At least 420 stations improved with all or some of the projects listed next: Digitalization of security systems in stations (such as intelligent video analytics, cybersecurity and fraud control), Passenger information systems, Improvement of access control to stations, Ticket vending machines projects and Facilities adaptation

Spain has submitted a spreadsheet which includes a list of short-distance railway stations where the works of improvement have been carried out. The spreadsheet also reports a brief description of the work projects that have been executed in each station, corresponding to at least two of the five types of projects outlined in the CID. Each unit is linked to an official reference of the corresponding certificates of completion (*‘actas de recepción’)* (see point iii of the evidence) reflecting the different work projects executed in that station. In turn, each certificate of completion (*‘acta de recepción’)* (see point iii of the evidence) is linked to one of the 31 contracts or framework contracts *(‘acuerdos marco’*) (see point iv of the evidence) signed with RENFE as a provider of services that Spain submitted to the Commission. Every contract or framework contract and certificate of completion (*‘acta de recepción’)* (see point iii of the evidence) are related to one or more stations included in the excel spreadsheet. The total number of stations improved with some (i.e. at least two) type of project listed in the CID amounts to 524, thereby exceeding the minimum requirement of 420 set by the target.

The evidence provided for a sample of 60 units (stations) confirmed that the stations have been improved with some (i.e. at least two) type of projects listed in the CID. In particular, for each of the 60 stations selected under the sampling and for each of the projects linked to each station, Spain provided certificates of completion (*‘actas de recepción’)* (see point iii of the evidence) which referred to the name and description of the works executed as well as to their date of completion. This proves

that the works upgrading the stations have been executed. When the certificates of completion *('actas de recepción')* (see point iii of the evidence) did not refer to the name of the stations where the related works were executed, Spain also submitted another piece of evidence ('*acta de certificación')* (see point vii of the evidence) which accompany the certificate of completion ('*acta de recepcion')* or the technical specification (*'especificaciones técnicas')* (see point vi of the evidence) which are linked to the contracts linked to the certificates of completion (*'actas de recepción').* Spain also provided the contracts, or the ('*contratos pedidos*') (see point v of the evidence) accompanying the framework contracts ('*acuerdos marco')* (see point iv of the evidence), linked to each certificate of completion ('*acta de recepcion')*. These contracts or '*contratos pedidos*' (see point iv of the evidence) in the section '*Objeto del contrato'* describe the scope of the works, detailing the improvements that the works would bring to the stations, in line with the types of projects listed in the excel file. Thereby, the Commission was able to verify that the stations were improved by completing at least two of the five types of projects listed in the Council Implementation Decision.

Furthermore, as indicated by the requirements in the description of the measure, the objective of the target is improving the attractiveness and accessibility of the short-distance railway network

For each of the 60 stations selected under the sampling and for each of the projects linked to every individual station, Spain provided evidence which allowed to verify that stations improved were part of the short-distance railway network. Depending on the individual project, Spain has submitted evidence confirming that the works have been executed in stations belonging to the short-distance railway network, notably the certificate of completion ('*acta de recepción')* (see point iii of the evidence)*,* the '*contratos pedido'* (see point v of the evidence)*,* the technical specifications (*'especificaciones tecnicas')* (see point vi of the evidence) or *'acta de certificación'* (see point vii of the evidence). These documents refer to the short distance railway network where the stations are located in the section '*Objecto del contrato*', or by including a set of maps showing the name of the stations where the works would be executed along the short-distance rail line network, or by referring to the name of the stations, which the Commission was able to locate in the official maps of the short-distance rail line network retrieved from the RENFE official website that Spain submitted to the Commission (see point viii of the evidence). The completion of these projects along the short-distance railway network contributes to improving its attractiveness and accessibility.

Projects developed by RENFE as the SPO operator

The contracts and the framework contracts ('*acuerdo marcos')* (see point iv of the evidence) provided by Spain underpinning each project for every station selected under the sample show that the contracting entities were the Public Railway Infrastructure Manager –RENFE ('*Red Nacional de los Ferrocarriles Españoles'* – RENFE) and the service contractor responsible for the implementation of each project.

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

Number and name of the Milestone: ES-C[C1]-I[I3]-T[16], Improved or new short distance rail lines stations

Related Measure: ES-C[1]-I[I3], Measures to improve the quality and reliability of rail transport services

Quantitative Indicator: Number

Baseline: 0

Target: 20

Time: Q2 2023

1. Context:

The investment aims to improve the attractiveness and accessibility of the short distance railway network, so that it becomes the backbone of mobility in urban areas and replaces the use of private vehicles in metropolitan areas.

Target 16 concerns the improvement of existing/building of new at least 20 stations by ADIF/ADIF AV. Interventions shall be carried out in short term rail lines and may include, but are not limited to, accessibility works, upgrading buildings or platform, construction of new stations, and/or new or renovated railway tracks.

Target 16, together with target 14, which concerns the upgrade of 700 km of short distance rail line, target 15, which concerns the improvement of stations with digitalisation and target 17, which concerns the award of contracts or other legal instruments for investments in short distance rail lines, is the first step in the implementation of the investment. They will be followed by target 18, related to the upgrade of 700 km of short distance rail lines, target 19 concerning the improvement of stations with digitalisation and target 20 related to the improvement or the new building of short distance rail lines stations.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii. A spreadsheet containing, for each project financed under the target, the set of information required by the verification mechanism of the Operational Arrangement. These include a) copy of the certificate of completion issued in accordance with national legislation. The document provided are the certificates of completion (*'actas de recepción' total o parcial')* or equivalent; b) the name of the project, c) the name(s) location(s) of the stations being improved or newly built, d) the specific type and category of project completed, proving alignment with the description of the target investment in the CID; e) a description of the intervention proving alignment with the description of the target and investment in the CID.
iii. Copy of the certificates of completion (*'actas de recepción')* for each of the projects under the target certifying the completion of the projects.
iv. Copy of the *'fichas tecnica'* for each of the project under the target provided by ADIF complementing the certificates of completion (*'actas de recepción'*) and indicating the technical

specifications for each of the completed projects. This document includes the '*Memoria del Proyecto Constructivo*', which is a contractual document which provides a detailed description of the projects and the reference to the short distance rail line where the project was executed

v. Copy of the contracts stipulated between ADIF and the service provider executing the works for each of the projects under the target.

3. Analysis:

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

At least 20 short distance rail lines stations improved or newly built stations by ADIF/ADIF AV

Spain has presented 8 projects completed which cover 22 improved or newly built short distance rail lines stations by ADIF/ADIF AV, thereby exceeding the minimum requirement of stations newly built or improved set by the target.

The '*Objeto del Contrato'* of the contracts (see point v of the evidence) signed between ADIF and the service providers for each of the 8 projects submitted under the target as well as the certificates of completion (*'actas de recepción'*) (see point iii of the evidence) detail the nature of the works carried out in the stations which have been newly built or improved under the target. Moreover, the certificates of completion (*'actas de recepción')* (see point iii of the evidence) that Spain has submitted to the Commission indicate the date of completion of the works, proving that the works for improving existing stations or building of new stations have been completed.

Moreover, the contractual document '*Memoria del proyecto'*, accompanying the *'ficha tecnica'* (see point iv of the evidence) for each project report the name of the station(s) being newly built or improved, as well as the reference to the short distance rail line where the works on the station(s) have been implemented. This information is also confirmed by a set of official maps reported in the *'fichas tecnica'* (see point iv of the evidence) taken from the ADIF official website indicating the location of the short distance rail lines and the specific portion of the rail lines where the works have been implemented. The Commission verified the correspondence between the name and/or reference of the short distance rail lines indicated in the *'fichas tecnicas'* (see point iv of the evidence) with the list of short distance rail lines submitted by Spain to the Commission in December/in the context of the technical revision of the Plan. This confirmed that the works presented by Spain under the target have been executed along the short distance rail lines network.

Spain has submitted a spreadsheet which includes a list of 8 projects carried out under the target and the individual reference to the corresponding certificate of completion ('*acta de recepción')* (see point iii of the evidence) and contract (see point v of the evidence). Each project submitted by Spain refers to a type of intervention executed in one or more stations. The spreadsheet also reports a brief description of each project as well as the location of the stations where the works have been implemented. Every project is linked to a contract between ADIF and a provider of services executing the work in one or more stations under each project.

The Commission verified the correspondence between the list of stations improved or newly built under each project reported in the excel spreadsheet submitted to the Commission and the specifications of each individual project set out in the certificates of completion (*'actas de recepción')* (see point iii of the

evidence). As a result, the Commission was able to verify that the 8 projects completed cover 1 newly built station and 22 improved stations, which lead to a total of 23 improved or newly built stations, thereby exceeding the minimum requirement of 20 stations improved or newly built set by the target.

The evidence included in the contracts provided by Spain *'contractos tipo de obras'* (see point v of the evidence) show that the contracting entities *'partes contractantes'* of each contract were the '*Entidad publica empresarial administrador de infraestructuras ferroviarias' – ADIF''* and the contrator responsible for the implementation of each project.

Works may include, but are not limited to, accessibility works, upgrading buildings or platform, construction of new stations, and/or new or renovated railway tracks

The certificates of completion ('*acta de recepcion'*) (see point iii of the evidence) for each of the 8 projects submitted by Spain under the target, which certify the completion of the projects, indicates on page 1 the official reference to the contract concluded between ADIF and the contractor and the description and nature of the works carried out under the contract improving the station or building new stations in the short distance railway lines. A more detailed description of the project is indicated in the *'fichas tecnica'* (see point iv of the evidence) for each project under the heading '*Objectivo'* and in the related Annexes accompanying the '*fichas tecnica'* (see point iv of the evidence), which is further explained in the contractual documents '*Memoria del proyecto'*. These documents show that the stations benefitted from improvement in terms of accessibility works, renovation or new construction of the railway tracks.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C1]-I[I3]-T[17] Award of innovative projects promoting electro-mobility

Related Measure: ES-C[1]-I[I3], Measures to improve the quality and reliability of rail transport services

Quantitative Indicator: Number

Baseline: 0

Target: 288

Time: Q2 2023

1. **Context:**

The investment aims to improve the attractiveness and accessibility of the short distance railway network, so that it becomes the backbone of mobility in urban areas and replaces the use of private vehicles in metropolitan areas.

Target 17 provides for the award of 288 contracts or other legal instruments related to investments in short distance rail lines carried out along the national territory.

Target 17, together with target 14, which concerns the upgrade of 700 km of short distance rail lines, target 15, which concerns the improvement of stations with digitalisation, target 16 which concerns the improvement or the new building of short distance rail lines stations, is the first step in the implementation of the investment. They will be followed by target 18, related to the upgrade of 700 km of short distance rail lines, target 19 concerning the improvement of stations with digitalisation and target 20 related to the improvement or the new building of short distance rail lines stations. The overall investment C1.I3 has a final expected date for implementation on 30 June 2026.

2. **Evidence Provided:**

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii. A spreadsheet containing, for each project financed under the target, the set of information required by the verification mechanism of the Operational Arrangement. These include a) list of the contracts or other legal instruments awarded indicating for each of the award the reference and link to the publication in the Public Procurement Platform; b) the type of interventions concerned in line with the target description
iii. Copy of the contracts stipulated between ADIF and RENFE and the service providers executing the works corresponding to each of the contracts signed under the target, and for each of the contract the reference and link to the corresponding award resolution in the Public Procurement Platform
iv. The *'ficha tecnica'* for each project developed by ADIF. This document includes the '*Memoria del Proyecto Constructivo*', which is a contractual document which provides a detailed description of the projects and the reference to the short distance rail line where the project was executed.

v. Contract between the General State Administration and RENFE for the management of the public railway service 2018-2027
vi. Technical Specifications detailing the supply, installation and configuration of equipment of the digitisation of the security systems of stations managed by RENFE and subsequent maintenance and management of video analytics) which indicates the rail lines and stations included in the 'Zona Norte' managed by RENFE

3. **Analysis:**

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

At least 288 contracts or other legal instruments awarded along the national territory

Spain submitted a spreadsheet which includes the list of 322 projects as well as the official reference and link to the publication of the award resolution in the public procurement platform.

The evidence provided for a sample of 60 units confirmed that the requirements of the target have been met. The access to the links for a sample of 60 units confirmed that for all the projects either a final award resolution (*'Resolución final de adjudicación'*) (see point iii of the evidence) has been issued or/and a contract has been signed. The signature of the contracts '*contratos de obras*' (see point iii of the evidence) is a subsequent step to their award and therefore proves that the '*contratos de obras*' (see point iii of the evidence) have been awarded.

The notice of the award resolution, the formalisation of the contract published in the Public Procurement Platform or the signed contract report the place of execution of the works '*Lugar de Ejecución',* indicating that the projects have been implemented in Spain. This includes also a '*código de subentidad territorial*', referring to the municipality where the works have been carried out. This information confirmed that the projects have been awarded along the national territory.

Furthermore, as indicated by the requirements in the description of the measure, the projects shall be executed by ADIF/ADIF AV (railway infrastructure manager) and RENFE (the operator of rail services with Public Service Obligations)

The contracts provided for a sample of 60 units (see point iii of the evidence) show that the contracting entities *'partes contratantes'* were the Public Business Entity Railway Infrastructure Manager –ADIF ('*Entidad publica empresarial administrador de infraestructuras ferroviarias – ADIF')* or the operator of rail services –RENFE ('*Red Nacional de los Ferrocarriles Españoles'* – RENFE) and the contractor responsible for the implementation of each project. Moreover, the award resolutions submitted by Spain for every project under the target indicate ADIF or RENFE as the contracting entity. In particular, the evidence confirmed that 46 projects were developed by ADIF (see sample code until unit 3.21/20830.0131), and 14 projects by RENFE (see sample code from unit 4600000909).

The contracts or other legal instruments are related to investments in short distance rail lines.

The evidence provided for a sample of 60 units proved that the contracts or other legal instruments are related to investments in short distance rail lines.

For the projects developed by ADIF, the contractual document '*Memoria del Proyecto y Anejos'* accompanying the *'fichas tecnica'* (see point iv of the evidence) provided by Spain details the scope of the project and confirms that the contracts or other legal documents concern railway lines within the short distance *Cercanías* network where the works foreseen by the contract have been awarded.

For the following contracts related to projects developed by RENFE, where the 'Object of the contract' section does not clarify whether the contracts or other legal instruments cover investments in short distance rail lines, Spain has provided the following evidence:

For the contract with code 4600000909, the Object of the Contract at page 2 of the contract reports that the works relate to stations in '*Zona Norte, Cercanías y Ancho Métrico*'. The reference to '*Cercanias*' (short-distance railway lines) Spain submitted an official document by RENFE (Technical Specifications detailing the supply, installation and configuration of equipment of the digitisation of the security systems of stations managed by RENFE and subsequent maintenance and management of video analytics, see point vi of the evidence) which indicates the rail lines and stations included in the 'Zona Norte' managed by RENFE. The official document confirms that those railway lines pertain to the Cercanias network, notably to the Cercanías 'nucleos' of Asturías, Bilbao, San Sebastian, Santander. Spain has also explained that *'Ancho Metrico'* reflects a type of rail infrastructure being part of the short-distance rail network service managed by RENFE, and that all the projects awarded under the target relate only to stations which are part of the traditional *Cercanías* network or the *Cercanías Ancho Metrico* network.

For the contracts with code 4500037290 and 4500040689, the object of the contracts refers to works carried out in e.g. ''*Nucleos de Asturias, Asturias Cercanías, Madrid, Murcia y Zaragoza''* and to ''*Nucleo de Santander''*. Spain has provided an official document by RENFE (Contract between the General State Administration and RENFE for the management of the public railway service 2018-2027, see point v of the evidence), which, at Annex 2 - 'A-CERCANÍAS', provides official maps of the ''*nucleos''*, which cover the *''nucleos"*of Asturias, Madrid, Murcia and Zaragoza. These maps concern the short-distance (*Cercanías*) rail lines served by RENFE.

For contracts with code 4600000971 and 4600000972, the reference to the short distance rail lines where the works foreseen in the contract have been awarded is outlined in the '*Estipulacion Quinta'* on page 5 of the contract. For contract with code 4500040346, the ''Object of the Contract'' refers to Annex I of technical specifications, which, under the section '*Objecto''* explains that the related investment is carried out within '*Cercanías'* network. This document was made available by Spain to the Commission.

For the remaining projects developed by RENFE, the 'Object of the Contract' at page 2 of the contracts signed between RENFE and the contractors indicates the scope of the contract, specifying the location of the investments along the short distance '*Cercanías'* network.

After completing the analysis of the sample, the Spanish authorities withdrew a contract from the list of 322 contracts contributing to this target. Consequently, the number of contracts compliant with all the requirements of the target amounts to 321, which is well above the target (288) in the Council Implementing Decision.

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

Number and name of the Milestone: ES-C[C2]-R[R2]-M[21bis], Publication of recommendations of Working Groups to implement the Long-Term Renovation Strategy in Spain

Related Measure: ES-C[2]-R[R2], 2020 update of the Spanish long-term renovation strategy and associated action plan

Qualitative Indicator: Publication of the recommendations of the Working Groups

Time: Q2 2023

1. Context:

The aim of this reform is the implementation of the Long-Term Renovation Strategy (ERESEE strategy). This will include actions for preparing, discussing in dedicated Working Groups, approving and disseminating the strategic document of the Long-Term Renovation Strategy action plan. Several Working Groups will be created to develop clear recommendations for the implementation of the action plan, allowing for the implementation of the ERESEE, integrating the central, regional and local administrations.

Milestone 21bis concerns the publication of detailed recommendations of Working Groups to implement the 2020 update of the Long-Term Renovation Strategy for Energy Rehabilitation in the Building Sector in Spain (ERESEE).

Milestone 21bis is the only milestone or target of this reform.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;
ii. A link to the website containing the recommendations of the working groups for the implementation of the ERESEE strategy in a strategic document https://www.transportes.gob.es/el-ministerio/planes-estrategicos/estrategia-a-largo-plazo-para-la-rehabilitacion-energetica-en-el-sector-de-la-edificacion-en-espana (hereinafter referred to as "strategic document");
iii. A link to the website containing the ERESEE strategy https://www.transportes.gob.es/el-ministerio/planes-estrategicos/estrategia-a-largo-plazo-para-la-rehabilitacion-energetica-en-el-sector-de-la-edificacion-en-espana (hereinafter referred to as "ERESEE strategy");
iv. Minutes of the first meeting on 14 December 2022 of Technical Interministerial Working Group sent to participants via email on 21 December 2022;
v. Minutes of the first meeting on 20 February 2023 of Technical Working Group with the Autonomous Communities sent to participants via email on 7 March 2023;
vi. Example invitation email sent to a participant of Technical Working Group with Local Entities for the third meeting on 19 May 2023;

vii. Example invitation email sent to a participant of Technical Working Group with Sector Agents for the third meeting on 17 May 2023.

3. Analysis:

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

Publication of detailed recommendations of Working Groups to implement the 2020 update of the Long-Term Renovation Strategy (LTRS) for Energy Rehabilitation in the Building Sector in Spain (ERESEE).

A strategic document, containing the recommendations of the working groups for the implementation of the ERESEE strategy, was published on the website of the Ministry of Transport, Mobility and Urban Agenda on 26 June 2023 (included under point ii of the evidence provided). Section 4 (pages 75-188) of the strategic document contains detailed recommendations from the Working Groups set up for the 2020 update of the ERESEE strategy.

This is also in line with the measure description, **[r]eports with the recommendations by the Working Groups shall be published.**

The purpose of the ERESEE strategy is to make a diagnosis of the building stock in Spain.

The ERESEE strategy (included under point iii of the evidence provided) contains a diagnosis of the building stock in Spain in its Part I, Chapter I ("Diagnosis: the residential and tertiary building stock in Spain" (pages 10 to 20).

The purpose of the ERESEE strategy is to remove obstacles and generate new approaches to scale up building renovations, to foster investments in the sector, to increase energy saving and to reduce carbon emissions in line with climate goals.

The ERESEE strategy contains objectives to be achieved by 2030, 2040 and 2025 (Part II, Chapter 6), renovation "menus" of the residential and tertiary building stock (Part II, Chapters 7 and 8) and 11 axes for action and the corresponding implementing measures (Part III, Chapters 10 and 11 respectively).

Removing obstacles is among the purposes of these axes for action and implementing measures. For instance, Box 24 on page 124 of the ERESEE strategy identifies financing by communities of owners as an obstacle for building renovation and improvements in energy efficiency. It identifies a new approach of a dedicated credit line for investments in renovation, energy efficiency and accessibility works by communities of owners as a suitable solution. Axis 5 is also explicitly described as aiming to encouraging the mobilisation of private financing, removing the barriers that are currently preventing large-scale deployment (page 339).

Generating **new approaches to scale up building renovation** is another purpose of the ERESEE strategy, as is apparent in section 5.11 (page 178 onwards) which discusses how to scale up building renovations, notably stressing the importance of framing the actions by area into broader strategies at municipal level. Measure 8.5 covers elements for the articulation and aggregation of demand at neighbourhood level and measure 8.9 about the brand "sustainable municipality" also aims to scale up building renovations at neighbourhood level.

Several examples for measures that **foster investments in the sector** are included in axis 5 (page 339 onwards) which covers elements for the promotion and mobilisation of private financing.

These and the other measures to increase energy efficiency of buildings in Part II of the ERESEE strategy on objectives and scenarios have the purpose of **increasing energy savings and of reducing carbon emissions** in line with climate goals, as described for example in measure 2.8. energy efficiency in buildings in the tertiary sector and measure 2.9 Energy efficiency in cold generating equipment and large air-conditioning installations in the tertiary sector and public infrastructure (page 204 onwards).

In order to implement the ERESEE, several Working Groups shall be created in order to develop clear recommendations for the implementation of the action plan for Urban Rehabilitation and Regeneration.

Three of the four working groups provided for in the ERESEE strategy were newly created to develop the recommendations. These working groups are: the Technical Working Group with the Autonomous Communities, the Technical Working Group with Local Entities and the Working Group with Sector Agents. The fourth working group provided for in the ERESEE strategy, the Interministerial Working Group had already existed and was reactivated to redact recommendations to implement the ERESEE strategy (minutes included under point vi of the evidence provided). Regarding the newly created working groups:

- The Technical Working Group with the Autonomous Communities had its first meeting on 20 February 2023 (minutes included under point v of the evidence provided). Further meetings took place on 11 April 2023 and 9 May 2023. The composition and work of this working group is described in pages 57-61 of the strategic document.
- The Technical Working Group with Local Entities had its first meeting on 20 February 2023. Further meetings took place on 30 March 2023, 27 April 2023 and 19 May 2023 (example for an invitation email sent to a participant included under point vi of the evidence provided). The composition and work of this working group is described in pages 62-67 of the strategic document.
- The Working Group with Sector Agents had its first meeting on 17 February 2023. Further meetings took place on 27 March 2023, 25 April 2023 and 17 May 2023 (example for invitation email sent to a participant included under point vii of the evidence provided). The composition and work of this working group is described in pages 68-74 of the strategic document.

As explained in the strategic document, as well as the invitation and minutes of their meetings, the output of the working group are the recommendations subsequently included in section 4 of the strategic document.

The strategic document explains how the working groups prepared, discussed and approved the Long-Term Renovation Strategy action plan. For instance,

- on page 56 (regarding the Interministerial Technical Working Group) it is explained that: “At the online meetings held on 31 January and 1 and 2 January 2023, the sub-working groups discussed the initial proposals for roadmaps for each of the assigned measures, and agreed on the roadmaps at the online meetings that took place on 12, 13 and 14 April 2023.”
- On page 60 (regarding the Technical Working Group with the Autonomous Communities) it is explained that: “The work has been carried out at three meetings, held on 20 February, 11 April and 9 May, at which a series of draft measures and roadmaps have been presented, discussed and agreed. They have also been circulated among representatives of the Autonomous Communities for comments.

- On page 65 (regarding the Technical Working Group with Local Entities) it is explained that: “At day 0 of presentation and formation of the group, held on 20 February, in addition to setting out the group’s objectives and the working timetable, a first consultation was carried out among the attendees in order to select and prioritise, among the list of measures of the ERESEE strategy, those most urgent at local level (...)”.
- On page 72 (regarding the Working Group with Sector Agents) it is explained that: “(...) through working rounds of limited duration, all participants have been able to contribute in different sections of this document”.

These sections show how the working groups developed clear recommendations for the implementation of the action plan for Urban Rehabilitation and Regeneration. Section 4 of the strategic document is structured in subsections each of which lists the recommendations developed by the respective working group.

Upon its completion, the strategic document itself has been disseminated by publishing it on the website of the Ministry of Housing and Urban Agenda (see link included under point ii of the evidence provided).

This is also in line with the measure description, the reform **shall include actions for preparing, discussing in dedicated Working Groups, approving and disseminating the strategic document of the Long-Term Renovation Strategy action plan**.

The detailed recommendations shall include a roadmap and methodological guides for every measure to be taken and addressed to every agent involved (public administration, stakeholders, etc.).

The recommendations include, for each of the measures identified as relevant for the implementation of the ERESEE strategy, the corresponding roadmap, consisting of a series of specific measures. For each of these measures, a methodological guide is included for their achievement, specifying the actions and tasks to be carried out and the role of each agent involved in their development. The concrete actions and tasks to carry out have been included below each measure in the roadmap.

For example, for measure G3-2: Promoting the preparation and subsequent implementation of local or supra-local renovation plans or strategies as a priority requirement for State or Autonomous Community funding (page 121), pages 122-123 contain the roadmap to implement this measure. The roadmap consists in actions G3-2.1 (Support from the regional or provincial administration for the drafting and development of strategic plans), G3-2.2 (Support from the national administration for the drafting and development of strategic plans) and G3-2.3 (Linking the development of local plans or strategies to the preparation of municipal planning), for which specific actions and tasks serve as methodological guides.

For example, for G3-2.1 (Support from the regional or provincial administration for the drafting and development of strategic plans), the following tasks are specified as methodological guides, in line with the further specification set out in the Operational Arrangements:

- Task G3-2.1.C1 is to establish direct aid for the local entities for drafting strategic plans.
- Task G3-2.2.C2 is to step up the dissemination of these instruments by encouraging and financing the training of municipal technicians and the staff assigned to develop these plans and actions.
- Task G3-2.3.C3 is to create a budget reserve for the drafting and development of strategic plans.
  Task G3-2.4.C4 is to convert actions and programmes in the Local Urban Agenda (where a municipality has adopted one) into a local rehabilitation strategy, with specific objectives, actions and projects.

These actions and tasks involve various actors and agents in the energy renovation of the built stock: the national, regional and local public administrations, professionals and companies in the sector and the general public.

Examples of actions and tasks for the national, regional and local public administrations include action G3-3.1 (develop specific plans for the rehabilitation of the public housing stock, pages 125 and 126), action G3-3.2 (inclusion of the rehabilitation of the public housing stock in the National Housing Plan and coordinated implementation between the administrations at the three levels responsible for its management, page 126) and action G3-3.4 (increasing the energy efficiency of the residential public building stock, page 126). Task G1/G2-2.1.M1. (recommendations for the design and monitoring of assistance programmes) and Task G1/G2-2.2-L1. (basic management system for aid programmes) addresses the authorities at central and regional level.

Action G4-2.1 (public promotion for the improvement of financial products, pages 154 to 156), which includes Task G4-2.1.C1 (refining ICO guarantees) and Task G4-2.1.C2 (facilitating capital market funding to credit institutions financing rehabilitation), addresses financial institutions, as well as public administration.

Action G4-8.3 (communication and promotion of alliances between the sector, page 176), which includes Task G4-8.3.C1 (establish agreements and connections allowing delegated subjects to contact obliged subjects) and Task G4-8.3.C2 (express the use of Energy Performance Contract (EPC) and Energy as a Service (EaaS) models within the rehabilitation sector), addresses the professional sector.

Action G4-8.4 Communication to citizens (page 176), which includes Task G4-8.4.L1 (communication to citizens) and Task G4-8.4.L2 (disseminating success stories of CAEs on a regular basis), addresses the general public.

In line with the measure description, **the action plan shall be in accordance with the actions included in the ERESEE.**

The ERESEE strategy contains several actions along eleven axes, which are underpinned by concrete actions in the strategic document (that is the action plan), as further outlined in the following.

Regarding Axis 1, concerning the promotion of sectoral, vertical and horizontal coordination, the strategic document includes:

- Measure G3-2: Promoting the preparation and subsequent implementation of local or supra-local renovation plans or strategies as a priority requirement for State or Autonomous Community funding (page 121), including vertical coordination under Action G3-2.1 on support from the regional or provincial administration for drafting and developing strategic plans at local level.
- Measure G3-6: Promoting specific management instruments at local level for rehabilitation aid (energy poverty, habitability, etc.) in vulnerable groups (pages 136 and 137), including horizontal coordination in Task G3-6.1.C3 to improve coordination between municipal areas.

Regarding Axis 2, concerning the regulatory environment of administrative measures in favour of energy renovation, the strategic document includes:

- Measure G1-1: Improving the integration of energy renovation into national building legislation (pages 78 and 79).

Regarding Axis 3, concerning the rehabilitation of Public Administration buildings (in line with component 11 of the Spanish Recovery, Transformation and Resilience Plan), the strategic document includes:

- Measure G3-3: Promotion of the renovation of the public residential building stock with energy efficiency criteria and improving accessibility, giving priority to social rental housing (pages 124 and 125).
- Measure G3-4: Promotion of the renovation of the public tertiary building stock at municipal level with criteria for energy efficiency and improving accessibility (page 127).

Regarding Axis 4, concerning public financing, the strategic document includes:

- Measure G1/G2-2: Inter-administrative coordination for the design and monitoring of energy renovation aid programmes (pages 82 and 83).
- Measure G3-5: Development of local financial action capacity (pages 130 to 133).
- Measure G3-7: Supporting and financing of all forms of local social and administrative management and support (including rehabilitation offices) (pages 140 and 141).
- Measure G4-1: Maintenance and improvement of public incentives for renovation (page 150).

Regarding Axis 5, concerning measures to encourage and mobilise private financing, the strategic document includes:

- Measure G4-2: Boosting private and public-private funding for the scalability of renovation (pages 153 and 154).
- Measure G4-3: Implementation of mechanisms to enhance the development of financial products for rehabilitation (page 158).

Regarding Axis 6, concerning combatting energy poverty, the strategic document includes:

- Measure G2-5. Combating energy poverty (page 113).

Regarding Axis 7, concerning the deployment of a new energy model in the construction sector, the strategic document includes:

- Measure G1-5: Promotion of heating and cooling networks (pages 96 and 97).
- Measure G1-6: Improvement of Energy Efficiency Certification (pages 99 to 101).
- Measure G3-8: Implementation of a new energy model: Incorporation of renewable energy, self-consumption, energy communities and district networks (pages 145 to 147).

Regarding Axis 8, concerning the activation and aggregation of demand for renovation, the strategic document includes:

- Measure G1-4: Analysis of the future implementation of renovation obligations linked to energy rating (page 93), including updating minimal energy efficiency requirements.
- Measure G2-1: Improving the integration of energy renovation into the Autonomous Community building regulations (pages 105 and 106).

Regarding Axis 9, concerning supply-side measures such as boosting modernisation of the rehabilitation sector through research, development and innovation, digitalisation, monitoring, better skills and training, the strategic document includes:

- Measure G4-4: Improvement of academic and continuous training of technicians (inclusion of content in training curricula) (page 162).
- Measure G4-5: Increasing in the number of workers trained or updated on a non-formal basis on a permanent basis and of professionals certifying their skills acquired through work experience through the new vocational training (VET) system (pages 165 and 166).

- Measure G4-6: Establishment of a stable framework covering comprehensive renovation offers and the figures involved (rehabilitating agent, head technician, property managers, etc.) (page 168).
- Measure G4-7: Modernisation of the rehabilitation sector (research, development and innovation) to improve its competitiveness, reputation and image, and scaling up (page 171).

Regarding Axis 10, concerning information for citizens and businesses and the exchange of good practices between administrations, the strategic document includes:

- Measure G2-4: Inter-administrative coordination on communication to citizens (pages 110 and 111).
- Measure G4-10: Creation and implementation of a communication plan for citizens on comprehensive rehabilitation. Language and messages for communication of rehabilitation (page 182).
- Measure G4-11: Promoting cross-sector collaboration. Internal communication between actors (pages 186 and 187).

Regarding Axis 11, concerning development of statistics, indicators and monitoring, the strategic document includes:

- Measure G1/G2-3: Improvement of the collection and dissemination of information on the state of the building stock, its energy consumption and energy renovation measures (pages 86 to 88).
- Measure G3-1: Implementation of a common monitoring system to monitor and evaluate remediation data, at all administrative levels allowing the analysis of aggregated and disaggregated data and the subsequent assessment of public policies (pages 117 and 118).

This is also line with the measure description, which states that **the most relevant actions include:**

Refurbish public administration buildings (aligned with Component 11 of the Spanish recovery and resilience plan); fund areas identified for improvement, including new taxation favourable to renovation, both in the residential and tertiary sectors; promote and mobilise private finance; fight energy poverty; deploy a new energy model in the building sector, to encourage renewable energy consumption in buildings; activate and aggregate demand for rehabilitation; improve supply-side conditions, by boosting the modernisation of the rehabilitation sector through research, development and innovation, digitalisation, and monitoring, reinforcing skills and trainings; disseminate information to citizens and businesses, and exchange good practices between administrations; and develop statistics and indicators to monitor publicly funded actions so that public policies can be properly assessed.

In line with the measure description, **in Part III of the ERESEE, 'Implementation', the ERESEE shall include a set of actions, among which a set of reforms is outlined as part of a roadmap promoting urban rehabilitation and renewal and fostering the green and digital transitions. The roadmap shall be structured around eleven axes and actions aimed at improving governance, regulations and financing.**

Part III (pages 330 – 352) of the ERESEE strategy (included under point iii of the evidence provided) on 'Implementation' is structured around the 11 axes outlined above. Within each axis, a set of actions, including among which a set of reforms is outlined. For instance, within axis 1, the actions proposed are listed under measure 1.1 to 1.5. Measure 1.1 includes a proposal for a reform, namely the approval of a state pact that gives stability and continuity to rehabilitation of the building stock. Together, these measures constitute a roadmap that promotes urban rehabilitation and renewal, and thereby fosters the green and digital transitions.

In line with the measure description, **this roadmap shall be included in the strategic document as the main step towards implementing the ERESEE.**

The strategic document includes the recommendations, including roadmaps for their implementation, in its chapter 4 (pages 75-188). In Chapter 2.2., the strategic document includes a diagnosis of the degree of implementation of the ERESEE strategy, which identifies the gaps and provides the basis for the recommendations in chapter 4. The recommendations in chapter 4 then provide recommendations on how these gaps can be closed. Since the gaps are what prevents the implementation of the ERESEE at this stage, the roadmaps for each of the measures recommended by the working groups, included in chapter 4, constitute the main step towards fully implementing the ERESEE strategy, as they help closing the remaining gaps.

In line with the measure description, **this strategic document shall allow the implementation of the ERESEE, within the framework of the Spanish Urban Agenda, integrating the different administrations (central, regional and local).**

The various public administrations were closely integrated in the implementation of the ERESEE strategy through the participation of their representatives in the Interministerial Technical Working Group, the Technical Working Group with the Autonomous Communities and the Technical Working Group with Local Authorities. In section 4.4.1. about regulatory developments and initiatives at national level in the field of energy and buildings, the ERESEE strategy refers to the Spanish Urban Agenda on page 81 and explains its main recommendations, which are in line with those in the ERESEE strategy, showing the close link with the overall framework of the Spanish Urban Agenda.

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C3]-R[R2]-M[422], Entry into force of regulation to improve biosecurity of livestock transport and of regulation for the sustainable use of antibiotics in livestock species

Related Measure: ES-C[3]-R[R2], Development and review of the regulatory framework for the environmental sustainability of livestock farming

Qualitative Indicator: Provision in the Royal Decree establishing its entry into force

Time: Q2 2023

1. Context:

The measure aims to improve the environmental sustainability of livestock farming by developing and revising the legislative framework to i) develop a general register of Best Available Techniques to facilitate the calculation of polluting and greenhouse gas emissions in farms; and ii) gradually revising the planning legislation in the livestock sectors. The measure also aims to iii) improve the biosecurity of livestock transport in relation to transmissible animal diseases; and iv) regulate the use of antibiotics in species of livestock interest.

Milestone 422 concerns the entry into force of a regulation to improve the biosecurity of livestock transport and of a regulation for the sustainable use of antibiotics in livestock species.

Milestone 422 is the last milestone of this reform. It follows the completion of milestone 41 which concerns the entry into force of the regulatory framework to develop a general register of Best Available Techniques on farms to inform on pollutant and greenhouse gas emissions, and reform the planning legislation with criteria on farms across sectors.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the CID annex) was satisfactorily fulfilled;

ii. Royal Decree 208/2023 of 28 March amending Royal Decree 638/2019 of November 8, which establishes the basic conditions that centres for the cleaning and disinfection of vehicles dedicated to the road transport of live animals, products for animal feed, and animal by-products not intended for human consumption must comply with, and creates the National Registry of Cleaning and Disinfection Centres, published in the national Official Journal *(Boletín Oficial del Estado)* No. 88, of 13 April 2023 (BOE-A-2023-9095) and a link to the Royal Decree https://www.boe.es/eli/es/rd/2023/03/28/208 (hereinafter referred to as "Royal Decree 208/2023");

iii. Royal Decree 992/2022, of November 29, which establishes the framework for action for the sustainable use of antibiotics in livestock species, published in the national Official Journal *(Boletín Oficial del Estado)* No. 299, of 14 December 2022 (BOE-A-2022-21136) and a link to the Royal

Decree https://www.boe.es/eli/es/rd/2022/11/29/992/con (hereinafter referred to as "Royal Decree 992/2022");

iv. Royal Decree 364/2023 of 16 May which establishes the framework for the development of European Union animal health regulations, regarding the obligations of farm owners for surveillance and the comprehensive health plan for livestock farms, and which amends several livestock management regulations, published in the national Official Journal *(Boletín Oficial del Estado)* No. 117, of 17 May 2023 (BOE-A-2023-11639*)* and the link to the Royal Decree https://www.boe.es/diario_boe/txt.php?id=BOE-A-2023-11639 (hereinafter referred to as "Royal Decree 364/2023")*;*.

3. Analysis:

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

Entry into force of a Royal Decree to improve the biosecurity of livestock transport.

Royal Decree 208/2023 (point ii of the evidence provided), which establishes the basic conditions that centres for the cleaning and disinfection of vehicles dedicated to the road transport of live animals, products for animal feed, and animal by-products not intended for human consumption must comply with, (it also creates the National Registry of Cleaning and Disinfection Centre), was published in the national Official Journal No. 88, of 13 April 2023. Royal Decree 208/2023 entered into force the day after its publication on 14 April 2023, as provided in its single final disposition.

In line with the measure description requirements, this measure aims at improving the biosecurity of livestock transport in relation to transmissible animal diseases.

Royal Decree 208/2023 adapts the formerly existing animal health regulations relating to cleaning and disinfection centres for livestock transport vehicles, in line with the new realities and needs of the livestock sector, with the aim of facilitating the creation of centres or speeding up cleaning and disinfection, favouring that vehicles can be subjected to cleaning and disinfection, which ultimately impacts on the biosecurity of the livestock sector, as processes are faster and more hygienic.

In this way, the sole article, paragraph 1, modifies the definition of "cleaning centres annexed to a building" to empower the competent authorities to authorise exceptions for structural reasons to the requirement that the cleaning centres have to be attached to a slaughterhouse. With this modification, the possibility is given to classify as such those centres that cannot be physically attached for structural reasons (e.g. roads) but that provide service to that establishment and could not be considered under another classification This allows for more flexibility on the location of cleaning centres contributing to the biosecurity of the livestock. Additionally, mobile slaughterhouses are considered low-risk slaughterhouses due to their specificities (sole article, paragraph 7).

Paragraph 6 of the sole article, allows for the existence of self-disinfecting vehicles that allow speeding up the cleaning and disinfection of vehicles, reducing the time needed for this process.

These modifications contribute to the improvement of biosecurity of livestock transport in relation to transmissible animal diseases in the sector and facilitating the creation of new centres that can meet the demand of operators.

Furthermore, in line with the description of the measure, the new regulation shall incorporate digitalization and new technologies into vehicles used as a means of transporting and cleaning and disinfection centres.

Paragraph 5 of the sole article of Royal Decree 208/2023 regulates the aspects related to the recording of data in the new National Registry of Cleaning and Disinfection Centres (RECELIDE). This article requires the digital recording of the cleaning process and related operations and controls (details on the recording content are provided in Annex III to Royal Decree 208/2023). This recording is certified by the cleaning and disinfection centre and serves as proof that the cleaning of the vehicles has been done. The recording requirement streamlines the process of vehicle registration, operations and controls carried out in the centres by replacing the paper certificate or disinfection voucher. In addition, Paragraph 6 of the sole article of Royal Decree 208/2023 establishes the aspects relating to self-disinfecting vehicles, which are equipped with a system that must guarantee the inactivation of pathogens, obtaining a result equivalent to the one generated in an authorised cleaning and disinfection centre, reducing the time needed for this process. Both aspects contribute to the incorporation of digitalisation and new technologies into vehicles used as a means of transporting and cleaning and disinfection centres.

Entry into force of a Royal Decree on the sustainable use of antibiotics in species of livestock interest.

Royal Decree 992/2022 (point iii of the evidence provided) establishes the framework for action for the sustainable use of antibiotics in livestock species. It was published in the national Official Journal No. 299, of 14 December 2022. As stated in its third final disposition, Royal Decree 992/2022 entered into force on 2 January 2023 and is applicable once the regulatory framework related to the Integral sanitary plan of the holding enters into force (see Royal Decree 364/2023 below).

Royal Decree 364/2023 (point iv of the evidence provided), which establishes the framework for the development of European Union animal health regulations, regarding the obligations of farm owners for surveillance and the comprehensive health plan for livestock farms, and which amends several livestock management regulations, was published in the national Official Journal on 17 May 2023 and entered into force the day after, as provided in its tenth final disposition. Royal Decree 364/2023 includes the requirements for agricultural holdings to have an integral sanitary plan in article 6. Therefore, Royal Decree 992/2022, of November 29 is applicable from 18 May 2023.

Furthermore, in line with the description of the measure requirements, this measure aims at:

- **Regulating the use of antibiotics in species of livestock interest […]**

Article 1 of Royal Decree 992/2022 establishes that the objective of this Royal Decree is to establish national measures to promote the sustainable use of antibiotics in the field of livestock species.

- **[…] using a method to calculate the regular and quarterly consumption of antibiotics per livestock holding and the national reference indicator.**

Article 3 of Royal Decree 992/2022 establishes the methodology for the regular and quarterly consumption of antibiotics taking the databases already in the possession of the Administration. Each agricultural holding will have access to this regular and quarterly consumption database in other to make adjustments if needed, as provided in Article 4 of Royal Decree 992/2022.

Article 3.4 of Royal Decree 992/2022 establishes the publication of the national reference indicator for each species in the national Official Journal at the latest on 1 June of each year.

- **The regulation shall describe the measures to be taken on the basis of the results.**

Article 4 of Royal Decree 992/2022 establishes a series of control measures and mechanisms, which will be implemented by the authorities based on the results obtained in the calculations of antibiotic consumption, with respect to the national reference indicator, ensuring the effective reduction in the use of antibiotics for the sake of their sustainability.

- **The legislation shall have a transition period of one year for those livestock holdings which do not have an obligation to have an integrated management system in their sectoral legislation**.

The first transitory disposition of Royal Decree 364/2023 (point iv of the evidence provided) explains that livestock holdings which do not have an obligation to have an integrated management system in their sectoral legislation, to align with the requirements established in the Royal Decree. This transition period ended after one year in May 2024 as provided by the first transitory disposition of Royal Decree 364/2023.

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C3]-R[R3]-M[42], Entry into force of the normative framework on sustainable nutrition in agricultural soils.

Related Measure: ES-C[3]-R[3], Legislative framework on sustainable nutrition in agricultural soils, and legislation on pollution of agricultural origin

Qualitative Indicator: Provision of the normative framework on the entry into force

Time: Q1 2023

1. Context:

The aim of this reform is to regulate agricultural fertilisation to address the different sources of nutrient input to agricultural soils in a consistent manner. In addition, it shall provide technical advice to farmers to support them complying with legal requirements and rationalising fertilisation. This shall: (i) address the adverse effects of climate change; (ii) reduce water pollution by nitrates and phosphates of agricultural origin; and (iii) improve air quality.

Milestone 42 concerns the entry into force of the normative framework on sustainable nutrition in agricultural soils.

Milestone 42 is the only milestone or target of this reform.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;
ii. Royal Decree 1051/2022 of 27 December, establishing standards for sustainable nutrition in agricultural soils, published in the national Official Journal (*Boletín Oficial del Estado*), No. 312 of 29 December 2022 (BOE-A-2022-23052) and the link to the Royal Decree https://www.boe.es/eli/es/rd/2022/12/27/1051 (hereinafter referred to as "Royal Decree 1051/2022"). Entered into force on 1 January 2023.
iii. Royal Decree 840/2024 of 27 of August, amending Royal Decree 1051/2022, of 27 December, establishing standards for sustainable nutrition in agricultural soils, published in the Official Journal (*Boletín Oficial del Estado*), No. 208 of 28 August 2024 (BOE-A-2024-17371) and a link to the Royal Decree https://www.boe.es/diario_boe/txt.php?id=BOE-A-2024-17371 (hereinafter referred to as "Royal Decree 840/2024"). Entered into force on 29 August 2024.
iv. Royal Decree 47/2022 of 18 January, on the protection of waters against diffuse pollution caused by nitrates from agricultural sources, published in the Official Journal (*Boletín Oficial del Estado*), No. 17 of 20 January 2022 (BOE-A-2022-860) and a link to the Royal Decree https://www.boe.es/eli/es/rd/2022/01/18/47/con (hereinafter referred to as "Royal Decree 47/2022"). Entered into force on 21 January 2022
v. Royal Decree 1054/2022 of 27 December, establishing and regulating the Information System for agricultural and livestock farms and agricultural production, as well as the Regional Register of Agricultural Holdings and the Digital Farm Logbook, published in the Official Journal (*Boletín Oficial*

del Estado), No. 312 of 29 December 2022 (BOE-A-2022-23054) and a link to the Royal Decree https://www.boe.es/buscar/doc.php?id=BOE-A-2022-23054 (hereinafter referred to as "Royal Decree 1054/2022"). Entered into force on 1 July 2023.

3. Analysis:

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

Entry into force of the normative framework on sustainable nutrition in agricultural soils

Royal Decree 1051/2022 establishing standards for sustainable nutrition in agricultural soils (point ii of the evidence provided), was published in the Official Journal on 29 December 2022, entered into force on 1 January 2023, as foreseen in the ninth final provision.

As also stated in the ninth final provision, Article 4 (1) of Royal Decree 1051/2022 concerning the registration and completion of the "Fertilisation" section within the farm logbook takes effect according to the entry into force of Royal Decree 1054/2022 (point v of the evidence provided). Royal Decree 1054/2022 entered into force on 1 July 2023 as stated in the eight final disposition. Royal Decree 1054/2022 establishes and regulates the Information System for agricultural and livestock farms and agricultural production, as well as the Regional Register of Agricultural Holdings and the Digital Farm Logbook. More concretely, this provision regulates the registration of information in digital format from 1 September 2024 or 1 September 2025, in line with Royal Decree 1054/2022, but farms must in the meantime keep the paper records determined by the regulations relating to the Common Agricultural Policy on the sustainable nutrition of agricultural soils and the sustainable use of phytosanitary products and make them available to the competent authority. Therefore, the rational fertilisation measures established by Royal Decree 1051/2022 are directly applicable (such as not fertilising with nitrogen at certain times of the year (Article 4(5) and annex II), applying manure in a certain way (Article 10), or use certain measures to mitigate ammonia emissions (Articles 10 and 12) and not depending on the entry into force of Royal Decree 1054/2022.

Royal Decree 840/2024 (point iii of the evidence provided), amending Royal Decree 1051/2022, of 27 December, establishing standards for sustainable nutrition in agricultural soils, entered into force on 29 August 2024, a day after its publication in the national Official Journal, as stated in the sole final provision. This reform seeks to facilitate the implementation of certain technical aspects of Royal Decree 1051/2022, strengthen coherence with other regulations (such as the Law on waste and contaminated soil for a circular economy), or sectoral regional provisions and clarify certain provisions. In addition to clearer wording of the provisions on ammonia emission reduction, other technologies are taken into account to reduce the risk of leaching (extraction of a substance from a solid material). It is, therefore, a technical adjustment to l Royal Decree 1051/2022 that does not affect the compliance on substance with milestone 42. The present preliminary assessment thus refers to the substance of Royal Decree 1051/2022.

This normative framework is intended to regulate fertilisation work. Chapter II of Royal Decree 1051/2022 (point ii of the evidence provided) regulates the fertilisation works by setting the obligations when providing nutrients to agricultural soils.

- **Article 4** establishes the requirements for the type of material used to be included for each fertilisation, detailing that it can be: fertiliser product, solid manure, slurry or materials other

than the above (details are included in Annex VIII to Royal Decree 1051/2022, of 27 December). In addition, this article establishes compliance with standards and guidelines for the application of organic matter to soils through a **Fertilisation Plan**, developed in depth by Article 6, maintaining the principles of Annex III (calculation of nutrient needs).

- **Article 6:** sets the fertilization plan, which is required to be drafted by each agricultural holding and for each unit of production according to the conditions set in this article.
- **Article 7:** sets good practice guides in fertilisation of agricultural soils and sustainable crop nutrition.
- **Article 8:** sets rules regarding the maximum content of heavy metals and other pollutants, contributing to address the different sources of nutrient input to agricultural soils in a consistent manner.
- **Article 9 and 10:** regulate the stacking manure and other organic fertilizing materials and their application, contributing to address the different sources of nutrient input to agricultural soils in a consistent manner.
- **Articles 11 to 17:** regulate the type of products and materials that can be used for fertilisation purposes, contributing to address the different sources of nutrient input to agricultural soils in a consistent manner.

Royal Decree 1051/2022 also regulates the obligations of suppliers of fertilising products (Chapter III), which include the creation of a general register of manufacturers and other economic agents of fertilising product, and the establishment of controls and a sanctioning regime, in Chapter V.

This normative framework is intended to promote technical advice to farmers to rationalise fertilisation and meet legal requirements.

Chapter IV of Royal Decree 1051/2022 (point ii of the evidence provided) develops the technical advice for farmers to help them rationalise fertilisation and meet legal requirements.

- **Article 20**: defines the role of a fertilisation advisor. The advice can be carried out by a natural person (under the conditions indicated in article 21) or thanks to a subscriber recommendation software. This programme must be authorised by the competent authority.
- **Article 21:** defines the need for accreditation of advisers. Having technical advice is a mandatory requirement in accordance with Article 6.6.
- **Article 22:** defines the monitoring of the advisor on fertilisation, which can be included in the official checks on compliance with the normative framework. This monitoring is aimed at ensuring that the fertilisation advisor is indeed advising farmers on rationalising fertilisation in line with the requirements on fertilization established in Chapter IV of Royal Decree 1051/2022.

All of these elements are also in line with the measure description requirement that the measure **shall provide technical advice to farmers to support them complying with legal requirements and rationalising fertilisation.**

Furthermore, in line with the description of the measure, **this normative framework shall address the adverse effects of climate change, reduce water pollution by nitrates and phosphates of agricultural origin and improve air quality.**

Royal Decree 1051/2022 (point ii of the evidence provided) aims at achieving an optimal use of fertilizers, mainly through the preparation of a fertilisation plan (Articles 4.2 and 6) based on a nutrient balance (Annex III), the maintenance of a farm logbook (Articles 4.1 and 5) incorporating the data of all fertilisation or amendment operations, and the obligation to have specific advice for fertilisation (Article 6.6). These measures provide the crop with the nutrients it needs, at the right time and in the right way. This results in a better use of fertilizers, which reduces the loss of excess nutrients to the environment, either in the form of nitrates, nitrous oxide (greenhouse gas), ammonia or phosphorus. In particular:

a) **To address the adverse effects of climate change;**
   - **Article 1 (2) (d):** The Royal Decree aims at combating climate change, including by reducing greenhouse gas emissions, increasing the carbon sink capacity of agricultural soils and making them more resilient to the impacts of climate change.
   - **Article 4.4, 5.d, Annex III (Part I.2) and Annex V (B.9):** aim at reducing the time in which nitrogen is susceptible to volatilisation (in the form of nitrous oxide) making it an effective measure in the fight against climate change.
   - **Article 6.5:** requires that the fertiliser plan includes measures to mitigate climate change, in line with the technical specifications included in the Royal Decree and its annexes.
   - **Annex IX:** includes a set of good fertilization and irrigation practices to reduce GHG emissions, ammonia pollution and help preventing the pollution of water bodies with nitrates.

b) **To reduce water pollution by nitrates and phosphates of agricultural origin:** Royal Decree 1051/2022 of 27 December, includes measures to reduce water pollution by nitrates and phosphates of agricultural origin. In particular:
   - **Article 1: sets the objective of avoid water pollution, and in particular pollution caused by nitrates, and prevent this type of pollution.**
   - **Article 12: regulates the use of nitrogen fertilizer product, and requires the use of** measures to minimize the impact of ammonia-related products (causing phosphate pollution). **Annex IX:** includes a set of good fertilization and irrigation practices to reduce GHG emissions, ammonia pollution (causing phosphate pollution) and help preventing the pollution of water bodies with nitrates.

Royal Decree 1051/2022 is linked to Royal Decree 47/2022 (point iv of the evidence provided), on the protection of waters against diffuse pollution caused by nitrates from agricultural sources, published in the Official Journal on 20 January 2022. The relevant articles of this Royal Decree are further elaborated in the section below, in line with the measure description requirements.

c) **To improve air quality:** Royal Decree 1051/2022 includes the main measures to mitigate ammonia emissions, main responsible of air pollution, and aligns it with Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC:

- **Article 1 (2)(e):** sets the objective of reducing emissions of other polluting gases, in particular ammonia.
- **Article 6(5)** requires that the fertilization plan includes measures to reduce emissions from ammonia and other greenhouse gas emissions, in line with the requirements included in Annex V to the Royal Decree
- **Article 10:** sets the requirements for the use of solid manure or slurry or organic or organo-mineral products or materials as fertilizer and makes it mandatory to comply with emission mitigation measures included in Annex V or any other technically endorsed and recognised by the competent authority for which similar efficiency has been demonstrated in reducing ammonia emissions.
- **Article 12:** regulates the use of nitrogen fertilizer product, and requires the use of measures to minimize the impact of ammonia-related products.
- **Annex IX:** includes a set of good fertilization and irrigation practices to reduce GHG emissions, ammonia pollution and help preventing the pollution of water bodies with nitrates.

Furthermore, in line with the description of the measure, **the proposed legislative framework is connected to another legal instrument: the draft Royal Decree on the protection of waters against diffuse pollution caused by nitrates from agricultural sources (which shall replace Royal Decree 261/1996 of 16 February) […].**

- Royal Decree 47/2022 (point iv of the evidence provided), on the protection of waters against diffuse pollution caused by nitrates from agricultural sources, entered into force on 21 January 2022, the day after its publication in the national Official Journal as stated in its fifth final provision.
- As stated in the sole repealing provision, Royal Decree 47/2022 repeals Royal Decree 261/1996 of 16 February.
- **Royal Decree 47/2022** (point iv of the evidence provided) is linked to Royal Decree 1051/2022. Royal Decree 1051/2022 contains several references to Royal Decree 47/2022, for example in Article 4 on the general requirements on nutrition of agricultural soils, in Article 6 related to the fertilization plan, and Annex III on the Calculation of the nutrient requirements of a crop. The references to Royal Decree 47/2022 of 18 January are included to ensure that the fertilization of agricultural soils is done in line with the objectives of Royal Decree 47/2022, meaning on protection of waters against diffuse pollution caused by nitrates from agricultural sources.

- **[…] It also links to the drawing up of an action plan to prevent, correct and reduce diffuse pollution caused by nitrates, especially from agricultural sources.[…]**

- **Article 6 of Royal Decree 47/2022 links to the drawing up of an action plan to prevent, correct and reduce diffuse pollution caused by nitrates, especially from agricultural sources.** This article requires the set-up of action plans to prevent and reduce nitrate pollution from agricultural sources in areas designated as vulnerable to nitrate pollution as per Article 4 of

the same Royal Decree. These action plans should be based on scientific information available regarding nitrate pollution.

[…] This measure shall introduce a Royal Decree, transposing Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources […]

- Royal Decree 47/2022 transposes Directive 91/676/EEC of 12 December (Nitrates Directive), as stated in the second final provision.
- The assessment of the compliance of Royal Decree 47/2022 with the articles of Directive 91/676/EEC for the purposes of payments from the Recovery and Resilience Facility does not prejudge the assessment by the Commission in any other proceedings regarding the conformity of the national law with the aforementioned EU legislation.

[…] setting more ambitious objectives than the Nitrates Directive […]

- **Royal Decree 47/2022 sets more ambitious objectives than the Nitrates Directive.** Article 3 of Royal Decree 47/2022 requires identifying as affected waters those that, due to their pollution by nitrates originating in agricultural activities, do not achieve the environmental objectives defined by Directive 2000/60/EC of the European Parliament and of 23 October 2000. In this way, the procedure for identifying these affected waters is simplified, making it coincide directly with the diagnosis of the waters that is carried out and communicated in the quadrennial reports required by Council Directive 91/676/EEC, of 12 December 1991. Likewise, Article 8 of Royal Decree 47/2022, states the requirements imposed on monitoring programmes for nitrate pollution. These requirements are made more exhaustive than in the previous transposition of the Directive, in order to be able to have a more precise definition of the problem both spatially and temporally. This amendment aligns the procedures and objectives of Council Directive 91/676/EEC of 12 December 1991 with the more demanding requirements of Directive 2000/60/EC, thereby strengthening the fight against diffuse nitrate pollution.

[…] and increase convergence with water planning objectives under the Water Framework Directive.

- **Royal Decree 47/2022 increases convergence with water planning objectives under the Water Framework Directive.**
    - Article 6.3 of Royal Decree 47/2022 requires that action programmes take into account "*the environmental objectives of the bodies of water established in the corresponding hydrological plans and the studies on the repercussions of human activity on the state of the waters updated by the basin organisations and the hydraulic administrations of the autonomous communities, within the framework of the process of revision of the river basin management plans referred to in Article 41 of the revised text of the Water Law approved by Royal Legislative Decree 1/2001, of 20 July".* Additionally, the competent regional bodies shall provide the content of the action programmes in the procedure for drawing-up river basin management plans, in accordance with the Hydrological Planning Regulations under the Water Framework Directive.

- Article 8 directly involves river basin organizations in the adoption of additional measures and reinforced actions, in case the once established in the plans drafted under article 6, are considered insufficient. On the one hand, management plans can establish average maximum thresholds of nitrogen surpluses for each body of water or sector of mass affected by nitrate pollution if they consider it necessary to achieve the environmental objectives of the bodies of water at risk. On the other hand, basin organizations and hydraulic administrations will establish limitations on new concessions and other activities subject to their authorization if the applicant cannot demonstrate the safety of the activity. These limitations will also seek to avoid a concentration of pressures which could significantly impact water bodies. To this end, the aforementioned water authorities will assess each new proposal in the context of all pressures. To this end, these authorities must assess the compatibility of each new concession proposal with the provisions of the hydrological plan, therefore increasing convergence with the planning objectives under the Water Framework Directive.

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C3]-I[I1]-T[424], Entry into force of Addendum to the agreement between the Ministry of Agriculture, Fisheries and Food (MAPA) and SEIASA to support the improvement and the sustainability of irrigated areas (Phase II)

Related Measure: ES-C[3]-I[I1], Plan to improve efficiency and sustainability in irrigation

Quantitative Indicator: Million EUR

Baseline: 303

Target: 453

Time: Q2 2023

1. Context:

The measure aims to improve the efficiency and sustainability of irrigation by promoting water savings and energy efficiency in irrigation activities, through a number of specific modernising actions.

Target 424 requires the entry into force of the Addendum to the collaboration agreement between the Ministry of Agriculture, Fisheries and Food (MAPA) and SEIASA (expansion of Phase II; EUR 150 000 000 of budget execution), with a view to implement the conditions of the plan to improve efficiency and sustainability in irrigation that is being carried out with this investment project.

Target 424 is the third target of the investment, and it follows the completion of target 46 related to Phase I and target 47 related to Phase II of the collaboration agreement between MAPA and SEIASA, positively assessed under the 2nd and 4th payment request, respectively. It will be followed by target 48 on the completion of modernisation works for at least 125 000 hectares of irrigation systems in terms of water savings and energy efficiency. The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

i. Summary doc]ument duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled
ii. Copy of the Publication of the Addendum to the Agreement between MAPA and SEIASA (Phase II) in the Official Journal *(Boletín Official del Estado)* No. 294 of 9 December 2023 (BOE-A-2023-25100) which entered into foce on 30 November 2023. Link to the Addendum of the Agreement https://www.boe.es/diario_boe/txt.php?id=BOE-A-2023-25100 (hereinafter referred to as the "Addendum to the Collaboration Agreement")
iii. Certificate of inscription of the Agreement between MAPA and SEIASA in the national Agreements Registration
iv. Agreement between MAPA and SEIASA published in the Official Journal *(Boletín Official del Estado)* No. 176 of 23 July 2022 (BOE-A-2022-12270) which entered into force on 21 July 2022 and link to the Agreement https://www.boe.es/boe/dias/2022/07/23/pdfs/BOE-A-2022-12270.pdf (hereinafter referred to as the "Collaboration Agreement")

v. Extract of the collaboration agreement between MAPA and SEIASA in the Official Journal *(Boletín Official del Estado)* No. 176 of 23 July 2022 (BOE-A-2022-12270), justifying compliance with the selection criteria of the actions financed.
vi. List of actions financed classified by type of irrigation modernisation project in line with the measure description
vii. Bank receipt justifying the transfer of funds from MAPA to SEIASA

3. Analysis:

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

Entry into force of Addendum to the collaboration agreement between the Ministry of Agriculture, Fisheries and Food (MAPA) and SEIASA, to support the improvement and sustainability of irrigated areas (expansion of Phase II)

The addendum to the collaboration agreement between the Ministry of Agriculture, Fisheries and Food (MAPA) and SEIASA to support the improvement and the sustainability of irrigated areas (Phase II) was signed and entered into force on 30 November 2023 (clause 3). It was published in the Official Journal on 9 December 2023 (point ii of the evidence provided). The addendum was registered in the national Agreements Registry on 30 November 2023 (point iii of the evidence provided).

The addendum to the collaboration agreement consists of an expansion of the scope of the projects of several actions previously entrusted to SEIASA in order to achieve the complete modernization of the facilities of certain communities of water users, and the commissioning of new actions by the new funds allocated to the measure (Clause 1 of the Addendum to the Collaboration Agreement). Therefore, the Addendum supports the improvement and sustainability of irrigated areas.

EUR 150 000 000 of budget execution

Exhibit 2 of the Addendum to the Collaboration agreement (point ii of the evidence provided) states that the addendum consists of an increase in budgetary allocation of EUR 150 000 000. The document certifying the budget execution of EUR 150 000 000 is the Bank transfer statement for EUR 207 750 000 to SEIASA with EUR 150 000 000 corresponding to the RRF (point vii of the evidence provided). As explained in clause 1 of the Addendum to the Collaboration Agreement (point ii of the evidence provided), EUR 57 750 000 correspond to a reallocation of Recovery and Resilience Funds to cover for increase in costs in the projects financed under C3.I1.

The Addendum to the collaboration agreement [...] shall implement the conditions of the plan to improve efficiency and sustainability in irrigation that is being carried out with this investment project.

The implementation of the conditions of the plan to improve efficiency and sustainability in irrigation is done by financing only the projects in line with the conditions set on the collaboration agreement. For details on each condition, see below.

This legal norm shall regulate the public/private financing regime for these irrigation modernisation investments, the project selection criteria and the plan execution procedures [...]

- Clause 9 of the collaboration agreement (Point iv of the evidence provided) regulates the public-private financing regime for investments in the modernisation of irrigation.
- Annex I to the collaboration agreement (Point iv of the evidence provided) regulates the project selection criteria.
- Clause 2 of the collaboration agreement (Point iv of the evidence provided) regulates SEIASA actions and how they are being executed. Clause 4 explains the responsibilities of each party (SEIASA and MAPA) regarding the execution of the plan. Clause 6 establishes a series of indicators to follow-up the accomplishment of the modernisation actions. Jointly these clauses regulate the plan execution procedures

This legal norm shall regulate the list of actions to be carried out linked to the budget execution under this measure

- Clause 2 of the Addendum to the Collaboration Agreement (Phase II) (point ii of the evidence provided) modifies point b) "List of selected actions" of the Annex I to the Collaboration Agreement (Phase II) (point iv of the evidence provided), to update the list of selected actions in view of the expansion of the budget.
- Column "Categorias CID" of the document "List of actions classified by objective of the measure description" (point iv of the evidence provided) classifies the selected actions described in Clause 2 (above) into the different categories of the measure description (note that an action can cover more than one element of the below list):
    - Substitution of the use of groundwater or surface water by the use of non-conventional water resources (reclaimed water or desalinated water in compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01)): 5 actions
    - Implementation of water regulation systems (reservoirs) that allow for gravity irrigation: 22 actions
    - Replacement of fossil fuels needed for pumping with renewable energy sources (mainly photovoltaic): 23 actions
    - Replacement of open-air ditches with underground pipes: 19 actions
    - Construction of filtering and pumping systems: 18 actions
    - Installation of metres and remote management systems: 27 actions

This list of selected actions is in line with the eligibility criteria set out in point a) of Annex I to the collaboration agreement (point vi of the evidence provided).

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C3]-I[I5]-T[53], Signature of contractual agreements between the Ministry of Agriculture, Fisheries and Food (MAPA) and ENISA

Related Measure: ES-C[3]-I[I5], Strategy for the Digitisation of the Agri-Food and Forestry Sector and the Rural Environment: development of actions to support the digitalisation and entrepreneurship of the agri-food and forestry sector and the rural environment

Quantitative indicator: number

Baseline: 0

Target: 30

Time: Q2 2023

1. Context:

The investment aims to set out actions in the Strategy for the Digitalisation of the Agri-food, Forestry and Rural Sectors, adopted by the Spanish government in March 2019, and in its second action plan 2021-2023. The actions shall include: a) A specific financial support line for SMEs in the agri-food sector to incentivise innovative and digital business projects, to be implemented through the provision of participative loans; b) a digital innovation hub for businesses in the agri-food sector, to be implemented through an in-house contract and public procurement by competitive tendering; c) an observatory on digitalisation in the agri-food sector via a partnership agreement between the Ministry of Agriculture, Fisheries and Food (MAPA) and the collaborating body; and d) a platform of Agricultural Knowledge and Information System (AKIS) advisors to function as a tool to foster the transfer of knowledge and information between AKIS actors, to be implemented through two in-house contracts.

Target 53 concerns the signature of contractual agreements between the Ministry of Agriculture, Fisheries and Food (MAPA) and ENISA to support the digital transformation of agri-food SMEs through a line of support for innovative or technology-based entrepreneurship in the Spanish agri-food sector (point a) above). Points b), c) and d) above will be assessed as part of the assessment of Target 54.

Target 53 is the first step of the implementation of the investment. This target is accompanied by Target 54 (support to at least 60 SMEs in the agri-food sector) in this payment request. The investment has a final expected date for implementation by 30 June 2023

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii. Copy of the 2021 Contractual agreement between the Ministry of Agriculture Fisheries and Food and ENISA to support entrepreneurship and innovative SMEs in the agri-food sector and rural areas through the development of the participatory loan line: SME Agro Line. The agreement was signed on 5 July 2021 and published in the Official Journal *(Boletín Official del Estado)* number 166

of 13 July 2021 (BOE A-2021-11657) and link to the Contractual Agreement https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-11657 (hereinafter referred to as the "2021 Contractual Agreement"). https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-11657

iii. Addendum Contractual Agreement of 5 July 2021 between MAPA and ENISA signed on 4 October 2023 and published in the Official Journal *(Boletín Official del Estado)* number 274 of 16 November 2023 (BOE-A-2023-23287) and a link to the Addendum https://www.boe.es/diario_boe/txt.php?id=BOE-A-2023-23287 (hereinafter referred to as the "Addendum to the 2021 Contractual Agreement").

iv. 2022 Contractual agreement between the Ministry of Agriculture Fisheries and Food and ENISA to support entrepreneurship and innovative SMEs in the agri-food sector and rural areas through the development of the participatory loan line: Agroinnpulsa Line. The agreement was signed on 22 July 2022 and published in the Official Journal *(Boletín Official del Estado)* number 288 of 22 September 2022 (BOE-A-2022-15451) and the link to the Agreement https://www.boe.es/diario_boe/txt.php?id=BOE-A-2022-15451 (hereinafter referred to as the "2022 Contractual Agreement").

v. Addendum Contractual Agreement of 22 July 2022 between MAPA and ENISA signed on 4 October 2023 and published in the Official Journal *(Boletín Official del Estado)* number 274 of 16 November 2023 (BOE-A-2023-23288) and the link to the Addendum https://www.boe.es/diario_boe/txt.php?id=BOE-A-2023-23288 (hereinafter referred to as the "Addendum to the 2022 Contractual Agreement").

vi. 2023 Contractual agreement between the Ministry of Agriculture Fisheries and Food and ENISA to support entrepreneurship and innovative SMEs in the agri-food sector and rural areas through the development of the participatory loan line: SME Agro Line. The agreement was signed on 23 June 2023 and published in the Official Journal *(Boletín Official del Estado)* number 161 of 7 July 2023 (BOE-A-2023-15801) and the link to the Agreement https://www.boe.es/diario_boe/txt.php?id=BOE-A-2023-15801 (hereinafter referred to as the "2023 Contractual Agreement").

vii. Digitisation strategy for the agri-food and forestry sector and rural areas (MAPA website): https://www.mapa.gob.es/es/desarrollo-rural/temas/innovacion-medio-rural/estrategia_digitalizacion_sector_agroalimentario_forestal_medio_rural_ve_tcm30-560060.pdf (ES) and https://www.mapa.gob.es/es/desarrollo-rural/temas/innovacion-medio-rural/digitisationstrategy_tcm30-560059.pdf (EN)

viii. Action Plan I (2019-2020) of the Digitisation strategy for the agri-food and forestry sector and rural areas https://www.mapa.gob.es/es/desarrollo-rural/temas/innovacion-medio-rural/plan-accion-2019-2020-estrategia-digitalizacion_tcm30-560061.pdf

ix. Action Plan II (2021-2023) of the Digitisation strategy for the agri-food and forestry sector and rural areas https://www.mapa.gob.es/es/desarrollo-rural/temas/innovacion-medio-rural/iiplanaccion2021-2023_tcm30-581202.pdf

x. Template DNSH responsible declaration , included in the call for project to support entrepreneurship and innovative SMEs in the agri-food sector and rural areas

https://cdn.enisa.es/EcommerceProduct/8C682D9FEDBC916D9344EB975A88778A/ATTACHMENT/6D03731DFF057A44BE994B5672550FF5/7dace2d40af963edfda318e731a16c9d6479078f.pdf

xi. 2021 proof of transfer of funds to ENISA (bank transfer)

xii. 2022 proof of transfer of funds to ENISA (bank transfer)

xiii. 2023 proof of transfer of funds to ENISA (bank transfer)

3. Analysis:

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

Signature of three contractual agreements (one per year) between the Ministry of Agriculture, Fisheries and Food (MAPA) and ENISA

MAPA and ENISA have signed three contractual agreements (one per year):

- 2021 Contractual agreement between MAPA and ENISA to support entrepreneurship and innovative SMEs in the agri-food sector and rural areas through the development of the participatory loan line: SME Agro Line. The agreement was signed on 5 July 2021 and published in the Official Journal No. 166 of 13 July 2021 (point ii of the evidence provided).
- Addendum Contractual Agreement of 5 July 2021 between MAPA and ENISA signed on 4 October 2023 and published in the Official Journal No. 274 of 16 November 2023 (point iii of the evidence provided), to align the wording on the Do No Significant Harm principle to the requirements of the CID Annex.
- 2022 Contractual agreement between MAPA and ENISA to support entrepreneurship and innovative SMEs in the agri-food sector and rural areas through the development of the participatory loan line: Agroinnpulsa Line (point iv of the evidence provided). The agreement was signed on 22 July 2022 and published in the Official Journal No. 288 of 22 September 2022.
- Addendum Contractual Agreement of 22 July 2022 between MAPA and ENISA signed on 4 October 2023 and published in the Official Journal No. 274 of 16 November 2023 (point iv of the evidence provided), to align the wording on the Do No Significant Harm principle to the requirements of the CID Annex.
- 2023 Contractual agreement between MAPA and ENISA to support entrepreneurship and innovative SMEs in the agri-food sector and rural areas through the development of the participatory loan line: SME Agro Line. The agreement was signed on 23 June 2023 and published in the Official Journal No. 161 of 7 July 2023 (point v of the evidence provided).

[...] to support the digital transformation of agri-food SMEs through a line of support for innovative or technology-based entrepreneurship in the Spanish agri-food sector.

- 2021 Contractual Agreement (point ii of the evidence provided):
  - First clause: The purpose of this agreement is to facilitate the transfer of funds from the MAPA to ENISA, with the objective of **financing digital-based business projects**

promoted by **small and medium-sized enterprises in the agri-food sector** through a participative loan.

- Fifth clause: Small and medium-sized agri-food enterprises from the entire value chain, including those operating in rural areas and **engaging in technology-based activities,** are eligible to obtain participatory loans. These business projects must be technically and economically viable, as well as have an **innovative,** novel business model or one with clear competitive advantages.

- 2022 Contractual Agreement (point iv of the evidence provided):
  - First clause: The purpose of this agreement is to facilitate the transfer of funds from the MAPA to ENISA, with the objective of financing **digital-based business projects** promoted by **small and medium-sized enterprises in the agri-food sector** through a participative loan.
  - Second clause: ENISA receives a loan from MAPA in 2022 […] with the objective to **promote the financing of innovative and digital business projects** promoted by **agri-food SMEs.**
  - Fifth clause: Small and medium-sized agri-food enterprises from the entire value chain, including those operating in rural areas and **engaging in technology-based activities,** are eligible to obtain participatory loans
- 2023 Contractual Agreement (point vi of the evidence provided)
  - First clause: The purpose of this agreement is to facilitate the transfer of funds from the MAPA to ENISA, with the objective of financing **digital-based business projects** promoted by **small and medium-sized enterprises in the agri-food sector** through a participative loan.
  - Second clause: ENISA receives a loan from MAPA in 2023 […] with the objective to **promote the financing of innovative and digital business projects** promoted by **agri-food SMEs.**
  - Fifth clause: Small and medium-sized agri-food enterprises from the entire value chain, including those operating in rural areas and **engaging in technology-based activities,** are eligible to obtain participatory loans.

Budget execution: EUR 30 000 000; EUR 10 000 000 per year

- **2021:**
  - **Second clause 2021 Contractual agreement (point ii of the evidence provided)**: ENISA will receive a loan from the MAPA in 2021 for an amount of up to 13 million euros, with the aim of promoting the financing of business projects promoted by agri-food SMEs. […] The loan will be granted with **10 million (budget item from the Recovery and Resilience Mechanism),** and will **finance the participatory loans** approved by ENISA against this financing line to digital-based business projects promoted by small and medium-sized enterprises in the agri-food sector through the participatory loan figure for the 2021 exercise (SME AGRO line). Additionally, the third clause of the 2021

contractual agreement stablishes that the transfer of funds will take place once this agreement is signed.

- Proof of transfer of 10 million euros from MAPA to ENISA for the 2021 Contractual agreement (point xi of the evidence provided)

- **2022:**
  - **Second clause 2022 Contractual agreement (point iv of the evidence provided):** ENISA will receive a loan from the MAPA in 2022 for an amount of up to 10 million euros, with the aim of promoting the financing of innovative and digital business projects promoted by agri-food SMEs. […]. The loan will be granted with **10 million euros** charge to the **budget item from the Recovery and Resilience Mechanism**, from the current budget, and will **finance the participatory loans** approved by ENISA against this financing line to digital-based business projects promoted by small and medium-sized enterprises in the agri-food sector through the participatory loan figure (Agroinnpulso Line). Additionally, the third clause of the 2022 contractual agreement stablishes that the transfer of funds will take place once this agreement is signed.
  - Proof of transfer of 10 million euros from MAPA to ENISA for the 2022 Contractual agreement (point xii of the evidence provided)
- **2023:**
  - Second clause 2023 Contractual agreement (point vi of the evidence provided): ENISA will receive a loan from the MAPA in 2023 for an amount of up to 16 million euros, with the aim of promoting the financing of innovative and digital business projects promoted by agri-food SMEs. […]. The loan will be granted with **10 million euros** charge to the **budget item from the Recovery and Resilience Mechanism** from the current budget and will **finance the participatory loans** approved by ENISA against this financing line to digital-based business projects promoted by small and medium-sized enterprises in the agri-food sector through the participatory loan figure (Agroinnpulso Line). Additionally, the third clause of the 2023 contractual agreement stablishes that the transfer of funds will take place once this agreement is signed
  - Proof of transfer of 10 million euros from MAPA to ENISA for the 2023 Contractual agreement (point xiii of the evidence provided)

The target is further specified in the Operational Arrangements, which requires **that budget execution shall mean the amount of budget assigned to the contractual agreements that shall be executed over the lifetime of the contractual agreements. Budget execution linked to this investment is made when the agreement between MAPA and ENISA is signed and the transfer of the credit to ENISA is made**.

The budget assigned is included in the signed contractual agreements (points ii, iv and vi of the evidence provided) and the transfer of credit to ENISA is made (points xi, xii and xiii of the evidence provided).

The collaboration agreements between the Ministry of Agriculture, Fisheries and Food and ENISA shall establish the conditions of the technology-based entrepreneurship line to support SMEs in the agri-food sector that present innovative and digital business projects, through :

- **the granting of participative loans:**
  - 2021 Contractual agreement (point ii of the evidence provided), 2022 Contractual agreement (point iv of the evidence provided) and 2023 Contractual agreement (point vi of the evidence provided):
    - First clause: The purpose of this agreement is to facilitate the transfer of funds from the MAP) to ENISA, with the objective of financing digital-based business projects promoted by small and medium-sized enterprises in the agri-food sector **through a participative loan.**
    - Fifth clause: Small and medium-sized agri-food enterprises from the entire value chain, including those operating in rural areas and engaging in technology-based activities, are **eligible to obtain participatory loans.**
- **the investment policy**
  - 2021 Contractual agreement (point ii of the evidence provided), 2022 Contractual agreement (point iv of the evidence provided) and 2023 Contractual agreement (point vi of the evidence provided):
    - **Fourth clause:** include the "Characteristics of the participatory loans granted by ENISA", among which:
      - Maximum repayment period of nine years, within which a maximum grace period of seven years is contemplated for the repayment of the principal.
      - The amount of the loans will be between EUR 25 000 and EUR 1 500 000, with the average loan amount being EUR 184 000.
      - For the granting of the loan, no additional guarantees will be required to those of the business project itself.
    - Section 2 of Annex II "Manual of procedure for granting and controlling participative loans" explains, among other, the characteristics of ENISA financing and the admission and analysis processes for participatory loan applications for the financing of business projects.
- **And eligibility criteria.**
  - **Fifth clause** of 2021 Contractual agreement (point ii of the evidence provided), 2022 Contractual agreement (point iv of the evidence provided) and 2023 Contractual agreement (point vi of the evidence provided) include the **"*Requirements of the beneficiary companies of the PYME AGRO (2021 Agreement and subsequent Addendum)/Agroinnpulso (2022 Agreement and subsequent Addendum and 2023 Agreement) line"***. The main requirements are small and medium-sized agri-food companies throughout the value chain may obtain participative loans, including those that, carrying out their activity in rural areas, develop technology-based activities that apply to it, who undertake the necessary investments and carry out their business project based on the generation of new products, processes or services. Business projects must be technically and economically viable, as well as have an **innovative, novel business model** or with clear competitive advantages. In addition, in order to

access the participative loans, applicant companies must present specific projects, aimed at consolidating and improving the competitiveness of the company. **These projects should contribute to the digitalisation of the company.**

The aforementioned agreements shall include a clause that guarantees that the investments made with this financing comply with the 'Do no significant harm' Technical Guidance (2021/C58/01) of supported transactions under this measure through the use of sustainability proofing, an exclusion list, and the requirement of compliance with the relevant EU and national environmental legislation.

The Fifth clause of the amended 2021 Contractual agreement (point iii of the evidence provided), 2022 amended contractual agreement (point v of the evidence provided) and 2023 Contractual agreement (point vi of the evidence provided) include the **"*Requirements of the beneficiary companies of the PYME AGRO (2021 Agreement and subsequent Addendum)/Agroinnpulso (2022 Agreement and subsequent Addendum and 2023 Agreement) line*"**. This clause includes:

- the **obligation of applicant companies to carry out their actions in accordance with the Do No Significant Harm principle** to environmental objectives, as set out in Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investments and amending Regulation (EU) 2019/2088.
- **the list of excluded activities** in line with the measure description
- **The requirement to exclude activities related to carbon capture and storage**

Sixth Clause of the amended 2021 Contractual agreement (point iii of the evidence provided), 2022 amended contractual agreement (point v of the evidence provided) and 2023 Contractual agreement (point vi of the evidence provided) requires ENISA in point (f) to ensure that:

- Investments selected made with this financing comply with the Technical Guidance on the application of the 'do no significant harm' principle (2021/C58/01), **apply the Commission's Technical Guidance on the sustainability proofing for the InvestEU Fund,** the exclusion list included in the fifth clause, and **verifying compliance with relevant EU and national environmental legislation for all transactions**, including those exempt from the sustainability proofing.

The 2021 and 2022 contractual agreements were amended in 2023 to ensure full alignment with the DNSH requirements included in the CID Annex. Additionally, as part of the documentation to request the loan, the beneficiaries had to sign a responsible declaration of compliance with the DNSH principle. This declaration (point x of the evidence provided), includes all the DNSH requirement, including **the DNSH exclusion list**, the requirement to comply with the **national and EU environmental legislation and the requirement to not support activities related to carbon capture and storage**.

The application of the Commission's Technical Guide on sustainability proofing for InvestEU is not relevant for this investment as all investments are found to be below the 10 million threshold (loans are between 25,000 euros and 1,500,000 euros), as specified in the **fourth clause of the contractual agreements** (see point above on investment policy).

This is in line with the measure description requirements for which**, in order to ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the legal agreement between the Ministry of Agriculture, Fisheries and Food, and the Empresa Nacional de Innovación (ENISA) and the subsequent investment policy of the financial instrument shall:**

- **c) require the application of the Commission's technical guidance on sustainability proofing for the InvestEU Fund; and**
- **c) exclude the following list of activities and assets from eligibility: (i) activities and assets related to fossil fuels, including downstream use[2]; (ii) activities and assets under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks[3]; (iii) activities and assets related to waste landfills, incinerators[4] and mechanical biological treatment plants[5]; and (iv) activities and assets where the long-term disposal of waste may cause harm to the environment;**
- **c) require the verification of legal compliance with the relevant EU and national environmental legislation of the projects by ENISA for all transactions, including those exempted from sustainability proofing.**

No activities related to carbon capture and storage shall be supported.

As explained above, Clauses 5 and 6 of the amended 2021 Contractual agreement (point iii of the evidence provided), 2022 amended contractual agreement (point v of the evidence provided) and 2023 Contractual agreement (point vi of the evidence provided), include all the necessary safeguards to ensure compliance with the DNSH requirements stated in the measure description.

In line with the measure description the following requirement **shall set out actions in the strategy for the Digitalisation of the Agri-food, Forestry, and Rural Sectors, adopted by the Spanish government in March 2019, and in its second action plan 2021-2023.**

[2] Except projects under this measure in power and/or heat generation, as well as related transmission and distribution infrastructure, using natural gas, that are compliant with the conditions set out in Annex III of the 'Do no significant harm' Technical Guidance (2021/C58/01).

[3] Where the activity supported achieves projected greenhouse gas emissions that are not significantly lower than the relevant benchmarks an explanation of the reasons why this is not possible should be provided. Benchmarks 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

[4] This exclusion does not apply to actions under this measure in plants exclusively dedicated to treating non-recyclable hazardous waste, and to existing plants, where the actions under this measure are for the purpose of increasing energy efficiency, capturing exhaust gases for storage or use or recovering materials from incineration ashes, provided such actions under this measure do not result in an increase of the plants' waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level

[5] This exclusion does not apply to actions under this measure in existing mechanical biological treatment plants, where the actions under this measure are for the purpose of increasing energy efficiency or retrofitting to recycling operations of separated waste to compost bio-waste and anaerobic digestion of bio-waste, provided such actions under this measure do not result in an increase of the plants' waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level

The objective of this investment is to respond to several of the objectives of the Spanish strategy for the digitisation of the agri-food sector and the rural environment, and of its action plans.

- The Digitalisation Strategy for the agri-food and rural sector (point vii of the evidence provided) defines the objectives for promoting digital transformation in the agri-food sector and in rural areas: to combat the digital divide, to open up and promote the use of data, to promote economic growth, and to promote the development of new business models (page 7 of the digitalisation strategy)).
- In order to achieve the objectives defined in the Strategy, Action Plans of 2 or 3 years have been developed to articulate specific actions around the strategic lines of these objectives. The actions of the action plans are established according to the available budgets and allow the progress of the Strategy to be adapted to the reality of each moment. So far, two action plans have been executed, the **I Action Plan** 2019-2020 (point viii of the evidence provided) and the **II Action Plan** 2021-2023 (point ix of the evidence provided).
- In order to promote the objectives of the Strategy of economic growth and the promotion of the development of new business models**,** a series of actions are established in the **first and second action plans.** The first Plan includes action 32 “Dissemination of support lines for entrepreneurship in rural areas” which includes, among others, the 2021 PYME AGRO line of support from ENISA. The second Plan includes the action of "Support for technology-based entrepreneurship in the agri-food sector" (page 27 of II action plan) which is articulated through the Agreements signed between the MAPA and ENISA.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C3]-I[I5]-T[54], Agri-food SMEs supported to implement innovative and digital business projects

Related Measure: ES-C[3]-I[I5], Strategy for the Digitisation of the Agri-Food and Forestry Sector and the Rural Environment: development of actions to support the digitalisation and entrepreneurship of the agri-food and forestry sector and the rural environment

Quantitative indicator: number

Baseline: 0

Target: 60

Time: Q2 2023

1. Context:

The investment aims to set out actions in the Strategy for the Digitalisation of the Agri-food, Forestry and Rural Sectors, adopted by the Spanish government in March 2019, and in its second action plan 2021-2023. The actions shall include: a) A specific financial support line for SMEs in the agri-food sector to incentivise innovative and digital business projects, to be implemented through the provision of participative loans; b) a digital innovation hub for businesses in the agri-food sector, to be implemented through an in-house contract and public procurement by competitive tendering; c) an observatory on digitalisation in the agri-food sector via a partnership agreement between the Ministry of Agriculture, Fisheries and Food (MAPA) and the collaborating body; and d) a platform of Agricultural Knowledge and Information System (AKIS) advisors to function as a tool to foster the transfer of knowledge and information between AKIS actors, to be implemented through two in-house contracts.

Target 54 concerns the granting of credits to at least 60 agri-food SMEs to incentivise innovative and digital business projects, to be implemented through the provision of participative loans. Points b), c) and d) above are also assessed under this target.

Target 54 is the second and last step of the implementation of investment C3.I5. This target accompanies Target 53 (Signature of contractual agreements between the Ministry of Agriculture, Fisheries and Food (MAPA) and ENISA) in this payment request. This target is the final target of this investment.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

Supporting evidence related to the Digital innovation hub (point b) of the measure description)

ii. Link to the webpage of the digital innovation hub, including the different activities and programmes of the hub https://lavegainnova.es/

iii. In-house contract between MAPA and TRAGSA (public company for the performance of rural development works and services) for the design of the adaptation of spaces for the development of face-to-face activities, and channelling and laying of fiber optic for the digital innovation hub.

iv. In-house contract between MAPA and TRAGSA (public company for the performance of rural development works and services for the adaptation of spaces for the development of face-to-face activities in the digital innovation hub.

v. Copy of the public procurement tender for the technological dynamization and content development in the state contracting portal

vi. Contract with Telefonica for the technological dynamization and content development through the State procurement portal.

vii. Tender technical specifications for the dynamization of the hub issued by MAPA

Supporting evidence related to the observatory on digitalisation in the agri-food sector (point c) of the measure description):

viii. Copy of the Agreement between the Directorate General for Rural Development, Innovation and Agri-Food Training within the Ministry of Agriculture, Fisheries and Food and Grupo Cooperativo Cajamar for the creation of an observatory on digitalisation in the agri-food sector, published in the national Official Journal *(Boletín Official del Estado)* on 19 October 2021 No. 250 (BOE-A-2021-17025) and link to the webpage https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-17025 (hereinafter referred to as the ”Partnership Agreement”)

ix. Copy of the Addendum to the Agreement between the Directorate General for Rural Development, Innovation and Agri-Food Training within the Ministry of Agriculture, Fisheries and Food (MAPA) and Grupo Cooperativo Cajamar (Cajamar) for the creation of an observatory on digitalisation in the agri-food sector, published in the national Official Journal *(Boletín Official del Estado)* on 5 January 2024 No. 5 (BOE-A-2024-323) and link to the webpage https://www.boe.es/diario_boe/txt.php?id=BOE-A-2024-323 (hereinafter referred to as the ”Addendum to the Agreement”)

x. Webpage of the Observatory on digitalisation https://www.mapa.gob.es/es/desarrollo-rural/temas/innovacion-medio-rural/digitalizacion/Sub%20observatorio.aspx

Supporting evidence for the platform of Agricultural Knowledge and Information System (AKIS)

xi. Link to the webpage of the platform https://akisplataforma.es/

xii. Copy of the contract between the MAPA and Tecnologías y Servicios Agrarios S.A (TRAGSATEC) for the “Development of functionalities and maintenance of the AKIS advisor platform”.

xiii. Copy of the contract between the MAPA and TRAGSATEC for “information, databases and support for the AKIS advisor platform”.

For the financial support line for SMEs in the Agri-food sector

xiv. A list of 134 beneficiaries awarded with the relevant information on the line of financing, the activity of the beneficiary and the type of technology adopted or developed.

xv. Copy of the call "AgroInnpulso" and link to the webpage https://www.enisa.es/es/financia-tu-empresa/lineas-de-financiacion/d/agroinnpulso

xvi. Extract of the call "AgroInnpulso" (above) by MAPA explaining alignment with the measure requirements

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

xvii. a fiche per beneficiary done by MAPA showing alignment of the beneficiary with the requirements of the "AgroInnpulso" call

xviii. bank statement proving the transfer of funds to each beneficiary

xix. DNSH self-assessment of each beneficiary in line with the templated included in the "AgroInnpulso" call

xx. Publication in the Official Journal of the Commercial Registry (*Boletin oficial del registro mercantil)* on 18 November 2022 of the change of company name of "Supernormal SL"

Other

xxi. Action plan of the Digitalisation of the Agri-food, Forestry and Rural Sectors

3. Analysis:

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

At least 60 agri-food SMEs granted with credits for the implementation of innovative and digital business projects.

Spain submitted a list of 134 SMEs granted with credits for the implementation of innovative and digital business projects (point xiv of the evidence provided).

The evidence provided for a sample of 60 units confirmed that at least 60 SMEs were granted with credits for the implementation of innovative and digital business projects. Spain provided for each of the sampled units a fiche explaining the type of investment done by each beneficiary confirming the investments fall under the remit of the call AgroInnpulsa and are in line with the requirement of implementing either innovative or digital business projects(point xvii of the evidence provided), the bank statement proving the transfer of funds to each beneficiary (point xviii of the evidence provided) and the DNSH self-

assessment proving compliance with the DNSH conditions as explained below (point xix of the evidence provided).

Unit 118 of the sampling (point xiv of the evidence provided) underwent a change of name from "Vega USERA PENA SL" to "Supernormal SL" on 11 November 2022, as published in the Commercial Registry Official Journal *(Boletín Official del Registro Mercantil)* (point xx of the evidence provided)

The objective of this line of support is to grant participative loans

The financial line "Agroinnpulsa" (points xv and xvi of the evidence provided) includes:

- Section "Objective": Support technology-based business projects by **partially financing the company's strategic plan**, with the aim of stimulating and promoting the **d**igital transformation of small and medium-sized companies in the agri-food sector.

- Section "Beneficiary enterprises": **Participatory loans** may be **obtained by small and medium-sized agri-food companies**

The objective of this line of support is […] to encourage companies to develop viable and innovative projects, linked to electronic commerce and the consolidation of Industry 4.0, among many other levers of change in digital business models for the agri-food sector.

The financial line "Agroinnpulsa" (points xv and xvi of the evidence provided) includes:

- Section "Objective": **Support technology-based business projects** by partially financing the company's strategic plan, with the aim of **stimulating and promoting the digital transformation** of small and medium-sized companies in the agri-food sector.

- Section "Beneficiary enterprises": **Participatory loans** may be **obtained by small and medium-sized agri-food companies** throughout the value chain, that **develop innovative and technology-based activitie**s […] and that undertake the necessary investments and carry out their business project basing their **activity on the generation of new products, processes or services.**

- Section "Requirements": […] The business project has to demonstrate its **technical and economic viability,** and **present an innovative business model, new or with clear competitive advantages that contribute to its digitalization**.

The financial line thus includes a general definition of the key levers of change in digital business models, meaning companies that develop innovative projects based on a technological/digital improvement and the generation of new products, processes and services. Therefore, the financial line aims at **developing projects linked to electronic commerce and the consolidation of Industry 4.0, among many other levers of change in digital business models for the agri-food sector**.

It shall be guaranteed including through selection criteria that the transactions under this investment made by these SMEs with these loans comply with the 'Do no significant harm' Technical Guidance (2021/C58/01) of supported transactions under this measure through the use of sustainability proofing,

an exclusion list, and the requirement of compliance with the relevant EU and national environmental legislation.

- Section "Requirements" of the call (point xv and xvi of the evidence provided): Companies are **excluded based on their non-compliance with the DNSH principle.** To ensure compliance with the principle, beneficiaries had to sign a self-assessment (link to the document in the call and in the extract of the call), in which beneficiaries had to explain how the investment complies with the **DNSH exclusion list**. Also, the beneficiary had to declare that the **activities comply with the relevant EU and national environmental legislation**. Regarding the use of **sustainability proofing,** the credits granted under this measure are of maximum EUR 1 500 000, which is below the minimum threshold to apply sustainability proofing (EUR 10 000 000), therefore they are **exempt from it.**

- DNSH self-assessment for each of the beneficiaries selected for the sampling exercise, proving compliance with the DNSH exclusion list and the requirement to comply with the relevant EU and national environmental legislation (point xix of the evidence provided)

In line with the description of the measure, **this measure sets out actions in the Strategy for the Digitalisation of the Agri-food, Forestry and Rural Sectors, adopted by the Spanish government in March 2019, and in its second action plan 2021-2023**. **The actions shall include**:

a. **A specific financial support line for SMEs in the agri-food sector to incentivise innovative and digital business projects, to be implemented through the provision of participative loans;**

See assessment above **a digital innovation hub for businesses in the agri-food sector, to be implemented through an in-house contract and public procurement by competitive tendering;**

A **digital innovation hub of businesses in the agri-food sector**, called "La Vega Innova", has been set out and is already operational as shown by the webpage of the site, which includes an explanation of the different activities, programmes, news and events of the Hub (see webpage in point ii of the evidence provided). As stated in the webpage, La Vega Innova "*Where agri-food innovation and entrepreneurship meet",* not only encourages innovation, but also provides the tools and support to make it happen. The Hub offers accelerator programmes for promising start-ups, specialist training for those who want to deepen their knowledge, and a community where collaboration and growth are at the heart of everything we do.

The innovation hub is located in a building owned by the Ministry of Agriculture and Fisheries. The renovation works were carried out through:

- **In-house contracts** with TRAGSA for the "design of the adaptation of spaces for the development of face-to-face activities, and channeling and laying of fiber optic for the digital innovation hub" and "adaptation of spaces for the development of face-to-face activities in the digital innovation hub" (point iii and iv of the evidence provided)

- **Competitive tender for the** technological dynamization and content development (point v and vii of the evidence provided). The contract was granted to Telefonica (point vi of the evidence provided)

The digital innovation hub is included under Action 7 of the I Action plan of the Digitalisation of the Agri-food, Forestry and Rural Sectors (point xxi of the evidence provided)

c. **an observatory on digitalisation in the agri-food sector via a partnership agreement between the MAPA and the collaborating body; and**

On 14 October 2021, the Partnership Agreement between MAPA and Cajamar (point viii of the evidence provided) for the creation of an observatory on digitalisation in the agri-food sector, was published in the Official Journal. This Partnership Agreement was extended at the end of 2023 and published in the official journal on 5 January 2024 with the intention to keep track of the evolution and impact of the observatory and the implementation of new technologies (point ix of the evidence provided).

The observatory fulfils Action 8 included under the II Action plan of the Digitalisation of the Agri-food, Forestry and Rural Sectors (point xxi of the evidence provided). The webpage of the observatory (point x of the evidence provided) shows several publications and studies since April 2022 and events planned through the years. Additionally, the observatory has created a channel for the agrifood sector to be able to connect with agro-tech companies.

d. **a platform of Agricultural Knowledge and Information System (AKIS) advisors to function as a tool to foster the transfer of knowledge and information between AKIS actors, to be implemented through two in-house contracts.**

The development of the AKIS platform fulfils Action 2 of the II Action plan of the Digitalisation of the Agri-food, Forestry and Rural Sectors (point xxi of the evidence provided).

This is a platform to promote the transfer of knowledge and information between the actors of the Agricultural Knowledge and Innovation System (hereinafter AKIS), with special support to the advisors to facilitate the development of their capacities and activity. This platform must, in turn, strengthen the flow of knowledge between the actors of the AKIS (point xi of the evidence provided). In the platform webpage people can register as “advisor” or as “seeking advice” to contribute to the transfer of knowledge and develop knowledge webs. The AKIS platform also offers trainings.

The AKIS advisory platform was executed through two in-house contracts with TRAGSATEC, a stated owned company specialised on agricultural technologies and services:

- IT development: Contract “Development of functionalities and maintenance of the AKIS advisor platform” with TRAGSATEC (point xii of the evidence provided)

- Content and platform dynamism: Contract “information, databases and support for the AKIS advisor platform” with TRAGSATEC (point xiii of the evidence provided)

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C3]-I[I8]-M[58], Research Development and Innovation projects to support the resilience and sustainability of the fisheries and aquaculture sector

Related Measure: ES-C[3]-I[I8], Plan to boost the sustainability, research, innovation and digitalisation of the fisheries sector (III): Technological development and innovation in fisheries and aquaculture

Qualitative Indicator: Number

Target: 20

Time: Q2 2023

1. Context:

The measure aims to establish a more environmentally, economically and socially sustainable fisheries and aquaculture sector by means of two lines of action: a) The creation of public-private partnerships to boost blue growth in the sector, in order to implement projects that serve as catalysts for blue economy processes; and b) support for technological development and innovation in the sector. The measure envisages the completion of at least 20 research, development and innovation projects.

Target 58 concerns the completion of at least 20 research, development and innovation projects for the adoption of new technologies that favour the resilience and sustainability of the fisheries and aquaculture sector.

Target 58 is the only milestone or target of the implementation of investment C3.I8.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Royal Decree 1155/2021 of 28 December establishing the regulatory bases for subsidies to groups of entities that carry out projects in the field of blue growth in the fisheries and aquaculture sector. Published in the national Official Journal (Boletín Oficial del Estado) No. 312 of 29 December 2021 (BOE-A-2021-2166) and link to the Royal Decree https://www.boe.es/buscar/act.php?id=BOE-A-2021-21660 (hereinafter referred to as "Royal Decree 1155/2021")

iii. Call for projects in the field of blue economy was published in the national Official Journal (Boletín Oficial del Estado) No. 18, of 21 January 2022 (BOE-B-2022-1525) available at https://www.boe.es/diario_boe/verifica.php?acc=Verificar&c=BOE-B-2022-1525 and the link to the call available at: https://www.infosubvenciones.es/bdnstrans/GE/es/convocatorias/606653

iv. Resolution of the call for projects in the field of blue economy dated on 12 July 2022 and a link to the resolution https://www.pap.hacienda.gob.es/bdnstrans/GE/es/concesiones/consulta?numeroConvocatoria=606653

v. Resignation of grants by Balearic Islands University (UIB)

vi. Addendum to the resolution of the call for projects on blue economy due to resignation

vii. Royal Decree 685/2021 of 3 August establishing the regulatory bases for subsidies to groups of entities that carry out investment and reform projects in the field of research for technological development, innovation and the balance of the marketing chain in the fisheries and aquaculture sector within the framework of the Recovery, Transformation and Resilience Plan, was published in the national Official Journal (Boletín Oficial del Estado) No. 185 on 4 August 2021 (BOE-A-2021-13263) and the link to the Royal Decree https://www.boe.es/eli/es/rd/2021/08/03/685 (hereinafter referred to as "Royal Decree 685/2021")

viii. Extract of the call for the subsidy was published in the national Official Journal (Boletín Oficial del Estado) No. 196, of 17 August 2021 (BOE-B-2021-35907) and the link to the extract of the call https://www.boe.es/diario_boe/txt.php?id=BOE-B-2021-35907

ix. Resolution of the call for projects in the field of research for technological development and innovation and link to the web page https://www.infosubvenciones.es/bdnstrans/GE/es/convocatorias/579529/concesiones

x. Addendum to the resolution of the call for projects in the field of research for technological development and innovation due to resignation

Evidence for each projects under line "Creation of public-private partnerships to boost blue growth in the sector, in order to implement projects that serve as catalysts for blue economy processes":

xi. Summary document including a brief description of the project and their alignment with the objectives of the measure

xii. Technical report with the specificities of the project

xiii. Final report by the beneficiary showing alignment with the technical specifications of the project

xiv. Certificate of completion

Evidence for projects each project under line "Support for technological development and innovation in the sector":

xv. Summary document of the 16 projects financed under the technological development and innovation line, including a brief description of the project and their alignment with the objectives of the measure

xvi. Technical report with the specificities of the project

xvii. Final report by the beneficiary showing alignment with the technical specifications of the project

xviii. Certificate of completion

xix. Final certification of completion by Ministry of Agriculture and Fisheries of the projects financed under the technological development and innovation line

3. Analysis:

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

Completion of at least 20 research, development and innovation projects for the adoption of new technologies that favour the resilience and sustainability of the fisheries and aquaculture sector

Within the two lines of action under this measure as outlined in the measure description (see below), a total of 21 projects were executed: five under the line of "Creation of public-private partnerships to boost blue growth in the sector, in order to implement projects that serve as catalysts for blue economy processes" and 16 under the line of "support for technological development and innovation in the sector".

The Spanish authorities have provided summary documents, including a description of each project and its alignment with the CID Annex requirements. In particular, for each project, the Spanish authorities have provided:

i. a summary document including a brief description of the project and their alignment with the objectives of the measure (point xi and xv of the evidence provided)

ii. a technical report with the specificities of the project: this report was issued by the project promoter to apply to the call for projects (point xii and xvi of the evidence provided)
iii. a final report, after completion, by the beneficiary showing the alignment with the technical specifications: This report, issued by the beneficiary explains how the project has been implemented and fulfilled in line with the technical report (point ii. above) (point xiii and xvii of the evidence provided)
iv. a certificate of completion issued by the managing authority, certifying that the projects have been completed (point xiv and xviii of the evidence provided)

Line "Creation of public-private partnerships to boost blue growth in the sector, in order to implement projects that serve as catalysts for blue economy processes"

- *Professionalisation of the value chain for coastal and deep-water extractive fishing* (BLUEFISHING TRAINING): The overall objective of the BLUEFISHING TRAINING project is to promote **innovative approaches** to strengthen **cooperation between the extractive fishing industry and the scientific communit**y, to reinforce the transfer of experience/knowledge in **training, research and innovation and new technologies** to strengthen the **competitiveness** of the sector around **sustainable fisheries**. The project included three pilot projects to improve the professionalism of the fishing sector, in particular the **uptake of digitalization** and the effects of climate change. The training contributes to ensuring the resilience of the fishing sector through a qualified and prepared work force.

- *Digitalisation and valorisation of fisheries in the Spanish Mediterranean* (DIGIPESCA): **Description of the project:** It focuses on the implementation of **innovative measures to promote the digitalisation** of the fisheries sector, the valorisation of its product and the transfer of knowledge generated, with the aim of promoting transparency and facilitating decision-making on the sustainability of fishing activity. In addition, the **development of new technologies** has been encouraged to make the sector more resilient for the future, promoting pilot projects on (i) improving the **automatic acquisition** of fish auction data, with an emphasis on **artificial intelligence** on images, and (ii) **on digitalisation** in traceability, building on blockchain technology.

- *Definition of a national strategy for the Sea to the Table to ensure the sustainability and resilience of the production and marketing chain of fishery and aquaculture products from a blue growth perspective* (PESCAZUL): The project aims at i) **identify critical points** in the value chain of the fishing and aquaculture sector of Spain; ii) **implement innovative technologies** based on **data gathering** at different stages of the value chain ; and iii) promote the development of new management practises in the sector in line with the objectives of the European Green Deal, the SDGs and blue growth, to promote good practises and **sustainability and resilience of the sector**.

- *Inter-territorial Atlantic Platform for Sustainable Blue Growth* (PLÁTICAS)**:** The project focuses on the development of an **innovative platform** to support standardisation, integration, management, communication and transfer of knowledge on **Sustainable Blue Growth** in the Spanish Atlantic Regions, with a strong inter-territorial character, contributing also to **the resilience** of the fishing sector.

- *Towards a Circularity of Inorganic Waste from the Fisheries Sector in the context of Blue Growth* (CIRCAZUL): The objective of the project is to implement an **innovative strategy** by capitalising on existing information and knowledge, **developing** and **demonstrating new technologies/systems** for **collecting and recovering waste through pilot project** (especially plastic) from the fisheries sector and promoting alliances between different sectors and actors to make them more sustainable and resilient, in line with the principles of the **circular economy and the zero pollution** targets of the Green Deal.

Line *"Support for technological development and innovation in the sector".*

- *Automatization of fishing processes (AUTOPESCA):* The project is based on **adaptation and introduction of technologies** developed for other more automated industries to the initial processes of the fisheries sector in order to achieve competitiveness, job and product quality, **increase sustainability** and profitability to the sector. The project **brings state-of-the-art technological solutions** to the challenges of this sector through technological development and innovation. It is completed by process optimisation through the development of proposals for automation of classified, cutting and peeling processes. It also proposes an assessment of technologies to improve the ergonomics of work on the ship, contributing to the **resilience** of the sector.

- *Development of innovative telemedical services in large freezer tuna vessels (P2)*: The project develops an **innovative** digital, connected and smart integrated medical service, based on the use

of **new technologies**, by which both accidents and associated costs can be reduced, while improving the safety perception of crew members on board, contributing to **the resilience** and sustainability of the fishing sector

- *Improvement of the OPROMAR vessels energy efficiency through fuel cycling monitoring (ENERCOM)*: The main objective of the project is to improve the energy efficiency of fishing vessels in the fleet's trawling, surface longline and purse seine modes, based on indicators obtained through **innovative fuel cycle monitoring software tools**, on the basis of which decisions will be taken to implement different strategies and actions for improvement in a more resilient way. Savings in energy consumption are also achieved, contributing to the **reduction of its environmental impact**, particularly in terms of the contribution of fossil fuels to climate change, and thus increasing sustainability.

- *Application of vision technologies and artificial intelligence to improve the production process (Acuicultura 4.0)*: The project, by **analysing hyperspectral imagery** (without the need for animals to be slaughtered), addresses the improvement in the production chain of individuals of a certain species in tanks-based aquaculture facilities, from the sowing of the larvae to their arrival in the distribution chain. This improvement seeks to maximise the production of the tanks and improve the quality of the final product while respecting the quality of life of the animals. The **innovative techniques** proposed make it possible to achieve this objective and are based on multimodal images in such a way as to **avoid encroaching on the environment** in which individuals develop and thus **do not affect their quality of life in any way**.

- *NEXT EMPLEAMar***:** The objective of the project is to create an **innovative platform for labour intermediation and training in the field of extractive fishing** and aquaculture, where the use **of new technologies makes it easier** to access and match the labour supply and demand of this niche of employment in an agile and simple way, increasing the resilience of the sector.

- *Centralized biorefinery for the valorization of effluents from the fish processing sector in the form of bioplastics (BIOCENPLAS)*: The aim is to valorise effluents from the fish processing industry through the directed production of biopolymers with an appropriate composition to replace petrochemical plastic materials which are used in this processing sector. To this end, it is necessary to develop **technologies for the pre-concentration of organic matter** present in the waste water from the downstream industry, to manufacture packaging based on bio-based and biodegradable products, to evaluate its properties in the downstream industry, to study the percentage of anaerobic degradation of the bioplastic once it reaches the end of its life, and to evaluate the environmental and economic benefits of implementing this new value chain in downstream companies. This project has sought on the one hand, to provide the **processing industry with a more resilient alternative to traditional wastewater management** and, on the other hand, to meet the **growing demand for sustainable, bio-based and biodegradable product**s.

- *Sustainable and resilient aquaculture through nutritional strategies (ACUISOST)*: The overall objective is to **promote the sustainability and resilience** of aquaculture through the use of nutritional strategies based on the formulation of feed based on new ingredients and the **incorporation of technological** additives allowing for the formulation of new functional feed. This

includes the development and validation of new additives with immunomodulating properties and the development and validation of new additives with antioxidant properties in order to improve the shelf-life and nutritional quality of the product (nutraceutical food). It also establishes a multi-actor working platform **where academia and industry work together in a cross-cutting and inclusive way.**

- *Recirculation of resources from the marine products processing industry as a new source of protein (RE-FISH TO FOOD)*: The objective is the development of a **new innovative technology** that combines anaerobic digestion and dark fermentation processes to produce gases that can feed a microbial protein production bioreactor, using as feedstock effluents and by-products from the processing of marine products, which can be used as a new source of protein in the food sector, decreasing dependency of inputs and increasing resilience and sustainability.

- *Development and implementation of innovative strategies to improve fish welfare at critical points in aquaculture farming (PISCIBIEN)*: The project is based on the development and implementation of **innovative strategies** for the improvement of fish welfare at critical points of aquaculture cultivation to make it more sustainable and resilient both, economically and environmentally.

- *Boosting the emerging and sustainable micro and macroalgae sector in Spain: diversification of species and applications with high commercial and environmental value (INNOVALGA)*: The project focused on **innovation in the cultivation and processing of algae** to improve sustainability of the sector, as well as on the development of **techniques to optimise production processe**s and their processing of species with high production potential of algae species to encourage diversification of current market options, enabling Spain to **increase aquaculture** production activity and thus to increase the economic resilience.

- *Decarbonization of thermal processes in the canning sector (DES.CO2)***:** The main objective of the project has been to develop, upgrade and test **emerging technologies** to reduce the consumption of fossil fuels in thermal processes (cooking and sterilisation) in the canning industry. To this end, **different technologies** (**induction, ohmic and ultrasonic heating**) have been used to generate thermal energy in order to **quantify energy savings and the environmental and water impact compared to traditional thermal technologie**s, contributing both to sustainability and resilience. The project has focused on **innovative developments** in ohmic heating, induction and ultrasonic technology for thermal cooking processes and induction technology for sterilisation processes.

- *Improving energy efficiency in the Spanish fishing fleet through an intelligent refrigeration energy management system on ships (P12)***:** The project has included the design, development and deployment of **an innovative system with Industry 4.0 technologies** (sensory and mechanistic actuators, cyber-physical systems, M2M machine intercommunication, Internet of Things (IoT), Cloud computing, Artificial Intelligence (AI), Machine Learning, Big Data and Digital Twin) **to improve energy efficiency** in the Spanish fishing fleet. The application of such technologies has enabled advanced sensing, connectivity technologies (IoT) and data processing (Big Data, IA, Virtual Twin), contributing both to sustainability and resilience.

- *Blockchain and IoT platform to ensure traceability, safety, quality and sustainability in the value chain of fishery products (PESCANDO 4.0)*: The project has been the development and validation of an **innovative platform based on Blockchain and Internet of Things** to ensure traceability, **safety/resilience, quality and sustainability in the value chain** of fishery products, through a secure and reliable system that guarantees the veracity and inalterability of information associated with the **traceability, food safety and sustainability of fishery products**

- *On-board conditioning and use of by-products from fishing activities (ABASAP)***:** This project has developed an **innovative system for more efficient management of discards and by-products** through the conditioning and storage on board of discards and by-products resulting from fishing activity. Actions were also considered for valorisation based on **innovative fermentation** processes to produce products for human consumption initiated on board and compatible with the normal operation of the ship. The **change in the nature of by-products to co-products**, combined with the use of **new technologies** that can promote the economic viability/resilience of the fleet, the reduction of the costs of managing these materials and the assessment of sustainable alternatives for their valorisation.

- *Development of digital solutions for the management of risks associated with the integrity of off-shore aquaculture infrastructures (DIGI SAFE CAGE)***:** The objective of this project has been to reduce the losses of cages and loopholes resulting from the loss of integrity of their infrastructure by **researching, developing and deploying digital technologies for maintaining and monitoring the condition of anchors and cages themselves**. New models and methodologies have been investigated to ensure the integrity of these infrastructures, including: submarine and surface sensor networks; long-range networks for connection with the Cloud; integrated analysis of the different time series of parameters related to the structural integrity of cages; advanced statistical techniques, Artificial Intelligence and Artificial Vision; in order to guide them to **the study of relevant risks in aquaculture production,** contributing to the resilience and sustainability of the sector

- *Sustainable system for the on-board extermination of parasites in viscera (INERTIMAR*): The project has been based on the development and implementation of an **innovative, sustainable system for using residual thermal energy from the boat engine** (from exhaust gases) for the treatment of viscera, following the principles of the **circular economy without requiring additional energy sources** (beyond the minimum consumption of sensory or similar, much lower than the one needed to treat viscera). The aim is to ensure that Anisakis (parasite) is eradicated from the viscera of catches prior to their return to the sea in a more **economic (i.e. financially more resilient) and effective manner**, by automating the process by using sensors and **new technologies** to enable them to be monitored.

Beyond the reports issued on the individual projects as provided by the operators, the Spanish authorities also provided a final certification of completion of all the projects under the line *"Support for technological development and innovation in the sector" (point xix of the evidence provided)*, certifying that all projects were carried out in accordance with the requirements of the call for projects and the requirements of the measure description of this investment.

Moreover, in line with the description of the measure **the objective of this measure is to establish a more environmentally, economically and socially sustainable fisheries and aquaculture sector by means of two lines of action:**

- **The creation of public-private partnerships to boost blue growth in the sector, in order to implement projects that serve as catalysts for blue economy processes;**

Royal Decree 1155/2021 (point ii of the evidence provided) establishing the regulatory bases for subsidies to groups of entities that carry out projects in the field of blue growth in the fisheries and aquaculture sector was published in the Official Journal No. 312 on 29 December 2021. It entered into force the day after its publication, as stated in the third final disposition.

As explained in article 2 of the Royal Decree 1155/2021, to access to the calls, entities have to be **constituted in public-private partnerships.**

Pursuant to Article 4 of Royal Decree 1155/2021, the requirements for the projects to be eligible, including the requirements for a project to be considered to **promote blue growth and blue economy processes.** That is, those projects that respond to a long-term support strategy that seeks **sustainable growth** in the marine and maritime sectors; which seeks to take advantage of the potential of the oceans, seas and coasts by **encouraging approaches that favour growth, conservation and sustainable fishing;** recognising the importance of the seas and oceans as drivers of the economy due to their great potential for innovation and growth. Th types of eligible blue growth projects are listed in Annex II to the Royal Decree 1155/2021.

Article 11 of Royal Decree 1155/2021 includes the eligibility criteria of the projects under this line. The first criteria includes the **"contribution of the project to improve economic, environmental and social sustainability of the fishing and aquaculture economy".**

The call to promote blue growth and blue economy processes was published in the Official Journal on 21 January 2022 (point iii of the evidence provided). The resolution of 5 October 2022 approved six projects under this category (point iv of the evidence provided). One entity renounced from the grant (points v and vi of the evidence provided), with finally five projects executed in line with the measure description requirements (see above on the list of projects completed).

- **support for technological development and innovation in the sector.**

Royal Decree 685/2021 (point vii of the evidence provided) establishing the regulatory bases for subsidies to groups of entities that carry out investment and reform projects in the field of research for technological development, innovation and the balance of the marketing chain in the fisheries and aquaculture sector within the framework of the Recovery, Transformation and Resilience Plan, was published in the Official Journal No. 185 on 4 August 2021. It entered into force the day after its publication, as stated in the third final disposition.

Article 11 of Royal Decree 685/2021 includes the eligibility criteria of the projects under this line. The first criteria includes "The project's contribution to achieving the objectives of the Plan for the Recovery, Transformation and Resilience of the Spanish Economy will be assessed through **actions that improve the**

productivity, competitiveness and sustainability of the fishing and aquaculture sector through technological development, innovation and balance of the marketing chain."

The extract of the call for the subsidy was published in the Official Journal No. 196 (point 8 of the evidence provided). The final resolution granting aid to 16 projects was published on 28 December 2021 (point 9 of the evidence provided).). The resolution was further amended by Order of 24 July 2024 (point 10 of the evidence provided), to redistribute funds amongst the members of one consortium due to the resignation of one of the members. The 16 projects were executed in line with the measure description requirements (see above on the list of projects completed).

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C3]-I[I9]-M[59], Digital reinforcement of the Spanish Fisheries Information System (SIPE) and of the fishing surveillance system

Related Measure: ES-C[3]-I[I9], Plan to boost sustainability, research, innovation and digitalisation in the fisheries sector (IV): Digitalisation and use of ICTs in the fisheries sector

Qualitative Indicator: Installation of second firewall barrier

Time: Q4 2023

1. Context:

The measure aims to improve the surveillance of fishing activity to ensure environmental sustainability as well as the medium and long-term viability of the fisheries sector. The measure comprises two lines of action: i) an aid scheme for the digitalisation of the fisheries and aquaculture sector; and ii) modern ICT solutions for fishing surveillance.

Milestone 59 relates to the modern ICT solutions for fishing surveillance through the digital reinforcement of the Spanish Fisheries Information System (SIPE) and of the fishing surveillance system.

Milestone 59 is the only milestone or target of this investment.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the CID annex) was satisfactorily fulfilled;

ii. Contract on the "development and maintenance of an application for the communication of catches, landing declaration and geolocation of the small-scale fishing fleet between MAPA and 3OES LEADING SOFTWARE, S.L., dated 1 December 2021, available at the following link https://contrataciondelestado.es/wps/portal/!ut/p/b0/04_Sj9CPykssy0xPLMnMz0vMAfIjU1JTC3Iy87KtUlJLEnNyUuNzMpMzSxKTgQr0w_Wj9KMyU1zLcvQjQzyi3Aoski1zilNzC40MSysykhLDAm1t9Qtycx0BkpLBpw!!/**;**

iii. Contract on "Fisheries reconnaissance and surveillance missions using a short-medium range system with the use of Remotely Piloted Aircraft System (RPAS)" between MAPA and Marine Instruments SA, dated 7 October 2021, available at the following link https://contrataciondelestado.es/wps/poc?uri=deeplink%3Adetalle_licitacion&idEvl=kpdkeXCJTs97h85%2Fpmmsfw%3D%3D;

iv. Report on the Fisheries Reconnaissance and Surveillance Missions (MRVPs) using a short-medium range system with the use of Remotely Piloted Aircraft System (RPAS), in Spain between 2022 and 2024 (Anexo 15 – memoria final servicio drones);

v. Contract "Analysis, maintenance and image processing of the remote surveillance system in 35 fishing vessels over 24 metres" between MAPA and UTE DATAFISH-AZTI, dated 29 September

2021, available at the following link https://contrataciondelestado.es/wps/poc?uri=deeplink%3Adetalle_licitacion&idEvl=NO1sZd%2BTJaIuf4aBO%2BvQlQ%3D%3D;

vi. Final report on the analysis and processing of the information and images recorded by the electronic monitoring system (Anexo 19 – Memoria final REM);

vii. Contract "Acquisition of storage cabin and back-up cabin" of 26 October 2022 between MAPA and ESPRINET IBERICA S.L.U., available at the following link https://contrataciondelestado.es/wps/poc?uri=deeplink%3Adetalle_licitacion&idEvl=EjDGLiKuSBaiEJrVRqloyA%3D%3D);

viii. Contract "Acquisition of servers, licenses, software and hard disks for the Storage cabin". of 21 November 2021 between MAPA and SPRINET IBERICA S.L.U available at the following link https://contrataciondelestado.es/wps/poc?uri=deeplink%3Adetalle_licitacion&idEvl=EjDGLiKuSBaiEJrVRqloyA%3D%3D);

ix. Contract "Supply of server equipment and storage systems for backup CPD for the SGP". of 19 April 2024 between MAPA and Internacional Perifericos Y Memorias España, available at the following link https://contrataciondelestado.es/wps/poc?uri=deeplink:detalle_licitacion&idEvl=YQ4PN%2FcEy%2BReKgd8LfVV9g%3D%3D;

x. Contract "Acquisition of second firewall barrier, email protection platforms, application firewall, Sandbox and improvements in the management tool" of 26 November 2021 between MAPA and ACUNTIA, S.A.U., available at the following link https://contrataciondelestado.es/wps/poc?uri=deeplink%3Adetalle_licitacion&idEvl=PvgyJHAaD3cBPRBxZ4nJ%2Fg%3D%3D;.

xi. Technical Specifications of contract "Acquisition of second firewall barrier, email protection platforms, application firewall, Sandbox and improvements in the management tool";

xii. Contract "Acquisition of security equipment and software licenses for the General Secretariat of Fisheries" of 21 November 2021 between MAPA and ESPRINET IBERICA S.L.U available at the following link https://contrataciondelestado.es/wps/poc?uri=deeplink%3Adetalle_licitacion&idEvl=Xo%2Bx1u38rxgBPRBxZ4nJ%2Fg%3D%3D;

xiii. Contract "Acquisition of two NGFW firewalls for the SGP" of 26 April 2024 between MAPA and ACUNTIA, S.A.U., available at the following link through centralised procurement https://contrataciondelestado.es/wps/poc?uri=deeplink:detalle_licitacion&idEvl=YfjfhrSBvQZrhBlEHQFSKA%3D%3D;

xiv. Contract "Renewal of licenses and support of switch solution for connectivity and balancing/ACD of the SGP" Objective: to open a new warranty and maintenance period that insures the equipment against breakdowns of both hardware components and the fixing of possible bugs in

the software they include. Awarded to ACUNTIA, S.A.U. (CIF A80644081) on 16 April 2024 through centralised procurement. https://contrataciondelestado.es/wps/poc?uri=deeplink:detalle_licitacion&idEvl=L5LvWL%2FLsINQFSeKCRun4Q%3D%3D;

xv. Royal Decree 854/2021, of 5 October, establishing the regulatory bases for subsidies for the acquisition and installation of remote electronic monitoring (REM) systems, for compliance with the landing obligation, for the digitalisation of the small-scale fleet and for support to the extractive fishing sector, aquaculture, marketer and processor within the framework of the Recovery, Transformation and Resilience Plan, published in the national Official Journal *(Boletín Oficial del Estado)* No. 239 on 6 October 2021 (BOE-A-2021-16234) and the link to the Royal Decree https://www.boe.es/boe/dias/2021/10/06/pdfs/BOE-A-2021-16234.pdf (hereinafter referred as "Royal Decree 854/2021");

xvi. Call for subsides for the acquisition and installation of remote electronic monitoring (REM) systems, published in the national Official Journal *(Boletín Oficial del Estado)* No. 257 on 27 October 2021 (BOE-B-2021-43760) https://www.boe.es/diario_boe/verifica.php?acc=Verificar&c=BOE-B-2021-43760;

xvii. First call for the installation of a surveillance system using cameras for remote monitoring of fisheries and combating discards for vessels over 24 m of length https://www.pap.hacienda.gob.es/bdnstrans/GE/es/convocatorias/591115;

xviii. Resolution of the first call for the installation of a surveillance system using cameras for remote monitoring of fisheries and combating discards for vessels over 24 m of length and link to the resolution https://www.pap.hacienda.gob.es/bdnstrans/GE/es/concesiones/consulta?numeroConvocatoria=591115;

xix. Second call for subsides for the acquisition and installation of remote electronic monitoring (REM) systems published in the national Official Journal *(Boletín Oficial del Estado)* No. 302 on 17 December 2022 (BOE-B-2022-39506) https://www.boe.es/diario_boe/verifica.php?acc=Verificar&c=BOE-B-2022-39506;

xx. Second call for the installation of a surveillance system using cameras for remote monitoring of fisheries and combating discards for vessels over 24 m of length https://www.pap.hacienda.gob.es/bdnstrans/GE/es/convocatorias/664133;

xxi. Resolution of the second call for the installation of a surveillance system using cameras for remote monitoring of fisheries and combating discards for vessels over 24 m of length and link to the resolution https://www.pap.hacienda.gob.es/bdnstrans/GE/es/concesiones/consulta?numeroConvocatoria=664133

xxii. Royal Decree 311/2022, of 3 May, regulating the National Security Scheme, published in the national Official Journal *(Boletín Oficial del Estado)* No. 106 on 4 May 2022 (BOE-A-2022-

7191) and link to the Royal Decree https://www.boe.es/buscar/pdf/2022/BOE-A-2022-7191-consolidado.pdf (hereinafter referred to as "Royal Decree 311/2022");

xxiii. Acknowledgement and verification certificate of the second firewall (Anexo 1 – *'acta de recepción'*);

xxiv. Technical report from the company installing the second firewall (Anexo 2.1- Implementación Segunda barrera firmado);

xxv. Acknowledgement receipt certificate of the development and maintenance of an application for the communication of catches, landing declaration and geolocation of the small-scale fishing fleet (Anexo 8);

xxvi. Example of training on the functioning of the catch registration system (APP) (Anexo 10 – justificante formación Blanes;

xxvii. Certification of completion of the contract on the catch registration system including the installation of devices for electronic submission of catches as well as their geolocation for vessels for less than 12 meters in length (Anexo 11 – certificación final APP);

xxviii. Manual on the usage of the catch registration system (APP) (Anexo 12 – Manual iPesca);

xxix. Final Report on the usage of the catch registration system (APP) (Anexo 13 – iPesca informe final);

xxx. Acknowledgement and verification certificate of acquisition of servers, licenses, software and hard disks for the Storage cabin (Anexo 23 – Acta recepción 2021 SP10050);

xxxi. Acknowledgement and verification certificate of acquisition of server equipment and storage systems for backup (Anexo 24 - Acta recepción 2021 SP10028);

xxxii. Acknowledgement and verification certificate of acquisition of security equipment and software licenses for the General Secretariat of Fisheries (Anexo 25 - Acta recepción 2021 SP10056);

xxxiii. Acknowledgement and verification certificate of acquisition of two NGFW firewalls for the SGP (Anexo 25 - Acta recepción 2021 SP10049).

xxxiv. Example of report on the installation of the remote monitoring system under Royal Decree 854/2021 for vessel "Alexia"

xxxv. Report for each vessel of the installation of remote monitoring systems under Royal Decree 854/2021

3. Analysis:

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

Digital reinforcement of the fishing information and surveillance [...]

This requirement is linked to point b) of the measure description requiring **modern ICT solutions for fishing surveillance**, including:

i. a **catch registration system (including the acquisition of devices for electronic submission of catches as well as their geolocation) with the possibility of tracking vessels of less than 12 metres in length**: On 10 November 2021, Spain **awarded through open procurement** the contract for the "development and maintenance of an application for the communication of catches, landing declaration and geolocation of the small-scale fishing fleet" to 3OES LEADING SOFTWARE, S.L(point ii of the evidence provided). The contract included the development of an application for catch registration (beta and final version) with the possibility of tracking vessels in mobile terminals, the acquisition and installation of devices for electronic submission of catches as well as their geolocation, the maintenance of the app and the support for its deployment, including training sessions.

   As explained in the Technical Specifications of the contract (point ii of the evidence provided) section 2.2, 150 devices will be installed for the project. Of these 150 devices, 99 devices for electronic submission of the catches as well as their geolocation were provided to vessels of less than 12 metres in length and 51 in vessels between 12 and 15m length. The devices allowed to test the Beta version of the catch registration system and to improve the final version. The devices remain in property of the vessel's skippers. The development of the catch registration system (App iPESCA) was certified by the General Intervention of the General State Administration *(Intervención General de la Administración General del Estado)* (point xxv of the evidence provided). 109 training sessions were held with an example of certificate in point xxvi of the evidence provided. A final certification was issued to certify the fulfilment of the contract once the catch registration system was operational and the training sessions were finalized (point xxvii of the evidence provided). The Spanish authorities also sent a manual on how to use the catch registration system (point xxviii of the evidence provided) and a technical report on the usage of the catch registration system, with more than 1500 users by 2023 (point xxiv of the evidence provided).

ii. **conduct of a pilot project for a drone flight service for fisheries control and surveillance:** On 14 November 2021, **Spain awarded through open procurement** the contract "Fisheries reconnaissance and surveillance missions using a short-medium range system with the use of Remotely Piloted Aircraft System (RPAS)" to Marine Instruments SA (point iii of the evidence provided).. With the use of drones, Fisheries Reconnaissance and Surveillance Missions of various types were carried out, depending on their performance (festive and non-holiday) and their location (embarked and non-embarked). A monthly report was issued on the missions carried out during the three years and a final report issued at the end of the pilot project (point iv of the evidence provided). This pilot project and its lessons learned will be used for the establishment of a control and surveillance system in the upcoming years, as required by Article 5(1) of Council regulation (EC) No 1224/2009 of 20 November 2009[1].

iii. **conduct a pilot project for remote monitoring system for catches of fishing vessels over 24 metres in length:** On 11 August 2021, Spain awarded **through open procurement** the contract "Analysis, maintenance and image processing of the remote surveillance system in 35 fishing vessels over 24 metres" (point v of the evidence provided). This contract had a duration of 24 months but was extended due to delays in the set-up phase until September 2024. The contract included the analysis and processing of the information and images recorded by the electronic monitoring systems regarding the catches and the preparation of the corresponding reports required by the fisheries management bodies. The reports included general information of the vessel, technique used in each catch, data on the catches on board, potential discards, identification of species, among other. The recording lasted 2901 days and reports were issued for each tide of the vessel. A final report was issued at the end of the pilot project (point vi of the evidence provided).
. This pilot project serves to gather information and draw conclusions for the establishment in 2026 (the date of entry into force of the new provision) of a permanent remote surveillance service that would comply with this new requirement.

iv. **devices and software (i.e. the installation of a second firewall) for the reinforcement of the security of the Spanish Fisheries Information System**: To reinforce the security of the Spanish Fisheries Information System (SIPE), the Spanish authorities have:

- **expanded the capacity of the SIPE:** The Spanish authorities acquired through **centralised procurement** a new storage cabin and back-up cabin to expand and modernise storage and backup for SIPE (point vii and xxxi of the evidence provided). ES also purchased through **centralised procurement** servers, licenses, software and hard disks for the Storage cabin to improve storage capacity (point viii and xxx of the evidence provided) and **through centralised procurement** security equipment and storage systems for the General Secretariat of Fisheries (point ix and xxxii of the evidence provided).

- **reinforced the security through a second firewall barrier** (see below)

Based on the description above, the implementation of actions under items i) to iv) also aligns with the measure requirement that the **implementation of modern ICT solutions for fishing surveillance shall proceed through open and centralised procurement.**

[…] including installation of a second firewall barrier (firewall) to increase the security of the Spanish Fisheries Information System (SIPE), **following the requirements established in the National Security Scheme (ENS) for the high level of security, [...]**

- **The installation of a second firewall barrier (firewall) to increase the security of the Spanish Fisheries Information System (SIPE):**

On 26 November 2021, the Spanish authorities acquired through **centralised procurement** a **second firewall barrier**, email protection platforms, application firewall, Sandbox and improvements in the management tool to improve the safety of the SIPE (point x of the evidence provided). As explained in the technical specifications (point xi of the evidence provided), the contract included, among other advanced

complementary installation works, the physical installation of the equipment, the configuration of profiles and subscriptions, as well as the commissioning of production. The deployment of the second firewall was certified by the General Intervention of the General State Administration *(Intervención General de la Administración General del Estado)* (point xxiii of the evidence provided) and the company installing the second firewall provided a report of the works carried out (point xxiv of the evidence provided).

Additionally, Spain awarded:

- On 26 April 2024 through centralised procurement, the contract "*Acquisition of two NGFW firewalls for the General Secretariat of Fisheries*" with the objective to update the computers to their latest versions of both hardware and software to ensure the security of the environment (first firewall barrier update) (point xiii and xxxiii of the evidence provided).

- On 16 April 2024 through centralised procurement the contract "*Renewal of licenses and support of switch solution for connectivity and balancing/ACD of the SGP*" to open a new warranty and maintenance period that ensures the equipment against breakdowns of both hardware components and the fixing of possible bugs in the software they include (point xiv of the evidence provided).

- **[...] following the requirements established in the National Security Scheme (ENS) for the high level of security [...] :** Royal Decree 311/2022 established the National Security Scheme (point xxii of the evidence provided). As stated in Article 9 an information system must have a protection strategy made up of multiple security layers, arranged in such a way that, when one of the layers is compromised, it allows an adequate reaction to face incidents that could not be avoided, reducing the probability that the system will be compromised as a whole as well as minimising the final impact on it. In this regard, the installation of the second firewall barrier in SIPE provides for the multiple security layers requested by Article 9 of Royal Decree 311/2022.

[…] and digitalisation of fishing vessels.

This requirement is linked to point a) of the measure description requiring an **aid scheme for the digitalisation of the fisheries and aquaculture sector.**

The Spanish authorities published Royal Decree 854/2021 (point xv of the evidence provided) which establishes the regulatory bases for subsidies for the acquisition and installation of remote electronic monitoring systems (REM), for compliance with the landing obligation, for the digitalization of the small-scale fleet and for support to the extractive fishing, aquaculture, marketing and processing sector. The Royal Decree was published in the national Official Journal on 6 October 2021 and entered into force on the day after its publication, as provided by the second final disposition.

including:

i. **aid for the installation of a surveillance system using cameras for remote monitoring of fisheries and combating discards for vessels over 24 metres in length**:

- Royal Decree 854/2021 (point xv of the evidence provided) sets in the first additional disposition the regulatory basis for the installation of a surveillance system using cameras for remote monitoring of fisheries and combating discards for vessels over 12 m with a preference for over 24 metres in length.
- The extract of the call for tender was published on 27 October 2021 in the national Official Journal (point xvi of the evidence provided)
- The call for tender was published in the National Database for Subsidies the day after of the publication of the extract of the call for tender in the national Official Journal (point xvii of the evidence provided)
- Due to excess budget, the extract of the second call for tender was published on 17 December 2022 in the national Official Journal (point xix of the evidence provided)
- The second call was published in the National Database for Subsidies the day after of the publication of the extract of the call of tender in the national Official Journal (point xx of the evidence provided)
- 19 grants were granted in the first call for tender (point xviii of the evidence provided) and 7 grants were granted in the second call for tender (point xxi of the evidence provided)
- Spain provided a report by the installing company certifying the installation of the remote monitoring system for each vessel (point xxxv of the evidence provided). These reports by the installing company, also certify that all vessels financed are above 24 m length (point xxxv of the evidence provided).

Furthermore, the measure description requires that the digitalisation of the Spanish fisheries and aquaculture sector shall be implemented in the form of **grants for competitive tendering.** As explained above, a call for tender was envisaged under Royal Decree 854/2021 (point xv of the evidence provided), and two calls were launched, one on 27 October 2021 (point xvi of the evidence provided) and one on 17 December 2022 in the national Official Journal (point xix of the evidence provided)

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C4]-I[I2]-T[67], Marine Protected Areas

Related Measure: ES-C[4]-I[I2], Conservation of terrestrial and marine biodiversity

Quantitative Indicator: % of the Spanish marine territory

Baseline: 13

Target: 15

Time: Q2 2023

1. Context:

The aim of this investment is to implement five lines of actions for the conservation of both terrestrial and marine biodiversity.

Target 67 concerns the achievement of a marine protection of at least 15% of the Spanish marine territory.

Target 67 is the first step of the implementation of the investment, and it will be followed by targets 68 and 69. Target 68 aims to achieve a marine protection of at least 18% of the Spanish marine territory and target 69 aims to cover 50 000 hectares by completed biodiversity conservation actions. The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Order TED/1416/2003, of 26 December, which approves the proposal to include six marine protected areas in Red Natura 2000, published in the national Official Journal *(Boletín Oficial del Estado)* No. 313 on 30 December 2023 (hereinafter referred to as "Order TED/1416/2003);

iii. Report on the state of natural heritage and biodiversity in Spain in 2020.

iv. Evidence of the formal proposal to the European Commission to protect these marine areas;

v. List of actions (and its link to the public procurement platform) put in place to protect marine areas.

vi. Resolution of 10 January 2025, showing that the marine protected areas have been included in the RAMPE network.

vii. Law 41/2010 of 29 December, to protect marine territories, published in the National Official Journal *(Boletín Oficial del Estado)* No. 317 on 30 December 2010.

viii. Law 42/2007, of 13 December, of Natural Heritage and Biodiversity, published in the national Official Journal (Boletín Oficial del Estado) No. 2099, of 14 December 2007.

3. Analysis:

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

Achieving marine protected area of at least 15% of the Spanish marine territory. Marine protected area is a marine territory included in the Natura 2000 Network or other categories of protected natural spaces, as established by Law 42/2007;

As established by article 32 of chapter II of Law 42/2007 (point viii of the evidence provided), a marine protected area is a marine territory included in the Natura 2000 Network or other categories of protected natural spaces. In 2020, the marine protected area in Spain accounted for 12.28% of the total Spanish marine territory (page 10 of point iii) of the evidence provided)

In line with the requirements of the Council Implementing Decision annex, Order TED/1416/2023 approves the proposal for the inclusion of six protected marine areas in the list of sites of community importance (LIC) of the Natura 2000 Network and declares two special protection zones for birds in Spanish marine waters (ZEPA). Order TED/1416/2023 entered into force on 31 December 2023 according to its third final provision ("*disposición final tercera*"), on the following day of its publication in the national Official Journal (i.e., 30 December 2023).

Order TED/1416/2023 protects 9.3 million hectares of marine territory, which represents an increase of 8.7 percentage points of the Spanish marine protected area (page 3 of point ii of the evidence provided).

In order to include the new protected areas in the Natura 2000 Network, on 16 January 2024, the Spanish authorities sent to the European Commission the communication proposing to protect the areas covered by Order TED/1416/2023 (point iv of the evidence provided). As established by article 43.2 of Law 42/2007, the areas are protected automatically by a preventive regime until the European Commission formally accepts this proposal (link to the Law included in point i of the evidence provided).

Therefore, as of 31 December 2023, a total of 20.98% (12.28% +8.7%) of the Spanish marine territory has been protected.

Areas protected by international instruments and Marine Reserves shall be included in the RAMPE (Spanish Marine Protected Areas Network), where applicable.

In line with Article 26 of Law 41/2010 (point vii of the evidence provided), the newly created marine bird areas (ZEPA) have been included in the RAMPE (point vi of the evidence provided). Aligned with the target description "where applicable", the six additional sites of common interest (LIC) will be included in RAMPE

once the European Commission formally accepts its proposal (point vii of the evidence provided) to become a special conservation zone (ZEC).

In addition, in line with the description of the measure regarding the third line of action of **an investment in the conservation of marine biodiversity, to protect at least 18 % of the Spanish marine territory by 2025**, Spain has initiated nine **investment actions** to achieve this requirement (point v of the evidence provided). These investment actions aim to improve 1) the knowledge of marine resources, ii) environmental knowledge of habitats and marine species as well as of marine protected areas, and iii) the facilities to control marine species and improve its conservation, among others. These investment actions will be assessed as part of target 68, which requires a marine protection of at least 18% of the Spanish marine territory.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C4]-R[I3]-T[70], Rehabilitation of former mining sites (at least 20 mining sites)

Related Measure: ES-C[4]-I[I3], Restoration of ecosystems and green infrastructures

Quantitative indicator: Number (mining sites)

Baseline: 0

Target: 20

Time: Q2 2023

1. Context:

This investment contains a set of actions to support the implementation of reform C4.R2. It aims to restore natural ecosystems and areas degraded by mining activities, as well as other initiatives in urban environments aimed at promoting urban connectivity and reversal.

Target 70 concerns the start of rehabilitation works at each mining site, targeting at least 20 former mining sites, including decontamination of the soil, recovery of the morphology, and revegetation and naturalisation.

Target 70 is the first step of the implementation of investment C4.I3 (Restoration of ecosystems and green infrastructure) and is followed by milestone 71 related to the completion of at least 30 000 hectares of ecosystem restoration actions in degraded territories or ecosystems, and target 72 related to the completion of the rehabilitation of at least 30 former mining cites. The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

i. A summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. For each mining site, copies of the certificates of completion, certifying the completion of rehabilitation works that have been completed until the signature date of the certificate, issued by the Spanish local authorities and co-signed by the respective contractors carrying out the works ("docrelacvaloradasup50"), dated between 9 March 2023 and 12 June 2024.

iii. For each mining site, copies of project description reports ("docproyectomina"), including a detailed description of the works and the mining sites concerned, issued by Spanish (local) authorities and / or the respective contractor(s), dated between 1 December 2021 and 20 May 2024.

iv. For each mining site, copies of tender assignment documents ("encargo"), issued by Spanish (local authorities), dated between 26 October 2022 and 13 September 2023.

v. A link to Royal Decree-Law 1098/2001 of 12 October 2001, published in the national Official Journal (Boletín Oficial del Estado), No. 257 on 26 October 2001, approving the general regulations of the law on public administration contracts, and entered into force on 27 October 2021 (hereinafter referred to as "Royal Decree-Law 1098/2001") https://www.boe.es/buscar/pdf/2001/BOE-A-2001-19995-consolidado.pdf.

vi. A set of documents demonstrating that each mining site is no longer in operation, including links to the inventory of closed mining facilities in Spain ("Inventario de instalaciones de residuos mineros clausuradas y peligrosas en España").

vii. An Excel document containing a list of the former mining sites being rehabilitated, including for each one: a) the name, the location and a brief description; b) extract of the relevant parts of the technical specifications of the project proving alignment with the description of the target and investment in the CID; c) the type of rehabilitation being undertaken.

3. Analysis:

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

Start of rehabilitation works at each mining site, targeting at least 20 former mining sites

Spain submitted a list of 24 mining sites (point vii of the evidence provided), for which the start of rehabilitation works had been certified by 31 May 2024. To certify such works, Spain provided for each mining site a certificate of works completed, co-signed by the contractor carrying out the works and the project director, certifying the works that have been completed until the signature date of the document (point ii of the evidence provided). This certificate of completion is issued pursuant to:

- Article 148 of Royal Decree 1098/2001 (point v of the evidence provided) which establishes that the project manager, on the basis of the measurements of the units of work executed referred to in the previous article and the contracted prices, shall draw up the corresponding valuation of the origin on a monthly basis.

- Article 150 of the same Royal Decree which establishes that the project director, will issue the corresponding certificate of work within a maximum period of ten days following the period to which it corresponds.

Spain also provided for each mining site a project description report, describing in detail the rehabilitation works (point iii of the evidence provided).

Spain also provided for each mining site a tender assignment document, describing the works to be carried out by the respective contractor (point iv of the evidence provided), including the budget foreseen for the works.

The evidence provided for each mining site, in particular certificates of completion of works (point ii of the evidence provided), confirmed for each of the 24 mining sites that rehabilitation works had started by the date of signature of the certificate of completion.

The evidence provided for each mining site, in particular the project description reports (point iii of the evidence provided) and the documents demonstrating that each mining site is no longer in operation (point vi of the evidence provided) confirmed that all of the 24 mining sites are former mining sites.

Including decontamination of the soil.

For eight out of the list of 24 mining sites, the rehabilitation works directly concern actions pertaining to the decontamination of the soil. The evidence provided for each mining site, and in particular, the copies of the project description reports (point iii of the evidence provided) confirmed that each of the eight projects included the requirement to carry out actions in order to decontaminate the soil.

Including recovery of the morphology.

For 18 out of the list of 24 mining sites, the rehabilitation works directly concern actions pertaining to the recovery of the morphology. The evidence provided for each mining site, and in particular the copies of the project description reports (point iii of the evidence provided) confirmed that each of the 18 projects included the requirement to carry out actions in order to recover the morphology.

Including revegetation and naturalisation.

For all of the 24 mining sites, the rehabilitation works directly concern actions pertaining to revegetation and naturalisation. The evidence provided for each mining site, and in particular the copies of the project description reports (point iii of the evidence provided) confirmed that each of the projects included the requirement to carry out revegetation and naturalisation actions.

This is also in line with the description of the measure, as the above analysis confirms that **the rehabilitation of former mining sites includes decontamination of the soil, recovery of the morphology and revegetation and naturalisation of the former mining sites that are no longer in operation**.

4. Commission Preliminary Assessment: Satisfactorily fulfilled.

Number and name of the Milestone: ES-C[C4]-I[I4]-T[73], Actions on sustainable forest management

Related Measure: ES-C[4]-I[I4], Sustainable Forest Management

Quantitative indicator: number (special purpose-vehicles)

Baseline: 0

Target: 100

Time: Q2 2023

1. Context:

The aim of this reform is to promote sustainable forest management. The actions shall improve forest management addressing the combat of forest fires and other forest management interventions, technical support to forest owners and administration to consolidate public ownership; forest management plans to promote biodiversity and the sustainable use of forest. Moreover, actions shall protect and adapt to climate change, including the renewal of at least 100 special purpose firefighting assets, fire brigade bases and progress on forest improvement actions. In addition, a set of actions should be implemented to support the forestry sector as a key resource for addressing the demographic challenge, with a special focus on green entrepreneurship and the local bioeconomy.

Target 73 concerns the purchase of at least 100 special-purpose vehicles for firefighting.

Target 73 is the first target of the implementation of the investment, and it will be followed by milestone 425. Milestone 425 relates to the completion of other actions on sustainable forest management and to the completion of at least 70 projects supporting green entrepreneurship and the local bioeconomy. The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 10 special-purpose vehicles to Andalucia;

iii. Technical specifications of the 10 special-purpose vehicles awarded to Andalucia.

iv. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 26 special-purpose vehicles to Aragon;

v. Technical specifications of the 13 special-purpose vehicles awarded to Aragon;

vi. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 20 special-purpose vehicles to Castilla y La Mancha (Lot 1);

vii. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 20 special-purpose vehicles to Castilla y La Mancha (Lot 2);

viii. Technical specifications of the 40 special-purpose vehicles awarded to Castilla y La Mancha (Lot 1 and 2);

ix. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 4 special-purpose vehicles to Castilla y Leon (Lot 1);

x. Technical specifications of the 4 special-purpose vehicles awarded to Castilla y Leon (Lot 1);

xi. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 6 special-purpose vehicles to Castilla y Leon (Lot 2);

xii. Technical specifications of the 6 special-purpose vehicles awarded to Castilla y Leon (Lot 2);

xiii. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 4 special-purpose vehicles to Castilla y Leon (Lot 3);

xiv. Technical specifications of the 4 special-purpose vehicles awarded to Castilla y Leon (Lot 3);

xv. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 10 special-purpose vehicles to Extremadura (Lot 1);

xvi. Technical specifications of the 10 special-purpose vehicles awarded to Extremadura (Lot 1);

xvii. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 10 special-purpose vehicles to Extremadura (Lot 2).

xviii. Technical specifications of the 10 special-purpose vehicles awarded to Extremadura (Lot 2);

xix. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 13 special-purpose vehicles to Galicia;

xx. Technical specifications of the 10 special-purpose vehicles awarded to Galicia;

xxi. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 3 special-purpose vehicles to Navarra;

xxii. Technical specifications of the 3 special-purpose vehicles awarded to Navarra;

xxiii. Reception report (*'acta de recepción')* signed by the contractor and the contracting authority awarding 2 special-purpose vehicles to La Rioja;

xxiv. Technical specifications of the 2 special-purpose vehicles awarded to La Rioja;

xxv. Report by motor engineer proving compliance with the DNSH principle requirements.

3. Analysis:

Purchase of at least 100 special-purpose vehicles for firefighting.

Spain has provided the necessary documentation showing the acquisition of **128 special-purpose vehicles for firefighting** (hereinafter referred to as "vehicles"), as described in the respective reception report and technical specifications, in eight different autonomous communities:

- Andalucia obtained a total of **10 vehicles** (point ii of the evidence provided). The first delivery, on 27 December 2022, included seven vehicles and the second delivery, on 23 May 2023, included three vehicles. These vehicles have special characteristics for firefighting as established in the technical specifications (point iii) of the evidence provided).

- Aragon obtained a total of **26 vehicles** (point iv of the evidence provided). These vehicles have special characteristics for firefighting as established in the technical specifications (point v) of the evidence provided).

- Castilla y La Mancha obtained a total of **40 vehicles**. The vehicles were delivered in 2 different lots. Under Lot 1, the first delivery, on 22 December 2022, included one vehicle. The second delivery, on 28 February 2023, included 9 vehicles. The third delivery, on 31 October 2023, included 10 vehicles (point vi) of the evidence provided). Under lot 2, on 22 December 2022, 5 vehicles were delivered; on 28 February 2023, 5 vehicles were delivered; on 20 May 2023, 4 vehicles were delivered; and on 5 July 2023,6 vehicles were delivered (point vii of the evidence provided). These vehicles have special characteristics for firefighting as established in the technical specifications (point viii of the evidence provided).

- Castilla y Leon obtained a total of **14 vehicles**. The vehicles were delivered in 3 different lots. Lot 1, on 30 November 2021, delivered 4 vehicles (in point ix of the evidence provided). Under Lot 2, the first delivery, on 27 July 2022, delivered 3 vehicles (point xi of the evidence provided). Moreover, the second delivery, on 14 September 22, delivered 3 vehicles (point xi) of the evidence provided). Under Lot 3, the first delivery, on 18 July 2023, included 2 vehicles. In addition, the second delivery under Lot 3, on 29 June 2023, included 2 vehicles (point xiii of the evidence provided). These vehicles have special characteristics for firefighting as established in the technical specifications (point x, point xii and point xiv of the evidence provided).

- Extremadura obtained a total of **20 vehicles**. The vehicles were delivered in 2 different lots. Lot 1, on 8 June 2022, included 10 vehicles (point xv of the evidence provided). Lot 2, on 30 November 2021, included10 vehicles (point xvii of the evidence provided). These vehicles have special characteristics for firefighting as established in the technical specifications (point xvi) of the evidence provided).

- Galicia obtained a total of **13 vehicles.** The vehicles 13 vehicles were delivered on 2 November 2022 (point xix of the evidence provided). These vehicles have special characteristics for firefighting as established in the technical specifications (point xx) and xviii) of the evidence provided).

- Navarra obtained a total of **three vehicles**. The vehicles were delivered 2 November 2023 (point xxi of the evidence provided). These vehicles have special characteristics for firefighting as established in the technical specifications (point xxii of the evidence provided).

- La Rioja obtained a total of **two vehicles.** The vehicles were delivered on 31 October 2023 (in point xxiii of the evidence provided). These vehicles have special characteristics for firefighting as established in the technical specifications (point xxiv of the evidence provided).

This is also in line with the requirement of the measure description: **(…), including the renewal of at least 100 special purpose firefighting assets (…)**

As evidenced above, Spain has purchased a total of 128 special purpose firefighting assets, namely respective special purpose vehicles. The Commission considers that there is a clerical error in the text of the Council Implementing Decision as regards the description of investment C4.I4 and has undertaken the assessment on a revised basis. In such description, it is stated that the measure should include the renewal of at least 100 special purpose firefighting assets. However, target 73, which captures the outcome of this part of the measure, states that the Member State must purchase at least 100 special-purpose vehicles for firefighting. The word purchase is the one considered relevant for the fulfilment of target 73. Against this background, the justification and substantiating evidence provided by the Spanish authorities cover all constitutive elements of the target.

The selection criteria for the investment shall ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) by supporting only the best available technologies with the lowest environmental impacts in the sector, taking into account the special purpose they are serving.

The technical specifications of the different Autonomous Communities include the DNSH requirements as follows:

- Technical specifications of the 10 special-purpose vehicles awarded to Andalucia (point iii of the evidence provided): Page 5 section "evaluation of the DNSH principle" explains how compliance with the DNSH requirements is achieved in line with the CID Annex. Additionally, section 3 of the Technical Specifications requires that vehicles comply with the latest regulation (EURO VI).

- Technical specifications of the 26 special-purpose vehicles awarded to Aragon (point v of the evidence provided): Section 2.8 requires the compliance with the DNSH Technical Guidance (2021/C58/01) by supporting only vehicles complying with the best available technologies with the lowest environmental impacts in the sector. All purchased vehicles need to comply with the latest regulation on vehicles for this category, meaning regulations EURO 6d-ISC or EURO 6d-ISC FCM.

- Technical specifications of the 40 special-purpose vehicles awarded to Castilla y La Mancha (Lot 1 and 2) (point viii of the evidence provided): Section 28 requires that the technical specifications comply with the DNSH principle. In this regard, section 3.1 requires that the vehicle complies with the regulation in place EURO VI.

- Technical specifications of the 4 special-purpose vehicles awarded to Castilla y Leon (Lot 1) (point x of the evidence provided): Page 5 section "description of the proposal" requires that the vehicles purchased comply with the regulation in place EURO VI.

- Technical specifications of the 6 special-purpose vehicles awarded to Castilla y Leon (Lot 2) (point xii of the evidence provided): Page 5 section "description of the proposal" requires that the vehicles purchased comply with the regulation in place EURO VI.

- Technical specifications of the 4 special-purpose vehicles awarded to Castilla y Leon (Lot 3) (point xiv of the evidence provided): Section 6 "description of the proposal" requires that the vehicles purchased comply with the regulation in place EURO VI.

- Technical specifications of the 10 special-purpose vehicles awarded to Extremadura (Lot 1) (point xvi of the evidence provided): Section 2 "characteristics of the firefighting truck" requires that the vehicles purchased comply with the regulation in place EURO VI.

- Technical specifications of the 10 special-purpose vehicles awarded to Extremadura (Lot 2) (point xviii of the evidence provided): Section 2 "characteristics of the firefighting truck" requires that the vehicles purchased comply with the regulation in place EURO VI.

- Technical specifications of the 13 special-purpose vehicles awarded to Galicia (point xx of the evidence provided): Section 1.1 requires that all purchased vehicles comply with the regulation in place for vehicles (EURO VI or its future recasts).

- Technical specifications of the 3 special-purpose vehicles awarded to Navarra (point xxii of the evidence provided): Section 1.4 requires that the vehicles comply with the lates European legislation in place at the moment of purchase of the vehicle.

- Technical specifications of the 2 special-purpose vehicles awarded to La Rioja (point xxiv of the evidence provided): Section 4.4 requires that the vehicles comply with EURO VI regulation.

To prove that EURO VI, Euro 6d-ISC or Euro 6d-ISC-FCM vehicles represent the best available technology with the lowest environmental impacts in the sector, taking into account the special purpose they are serving, the Spanish authorities have provided a **report by a motor engineer** (point xxvi of the evidence provided). The report concludes in section 2.3 that "Taking into account the specific purpose for which they are intended, in the present case of new land-based fire-fighting equipment, they are equipped with diesel engines that comply with the emission regulations cited below, since their approval procedures ensure compliance with the most advanced European environmental standards currently in use, in

addition to meeting the technical requirements specific to forest fire fighting. […]. The purchased vehicles need to comply with the current legislation in place:

- In the case of a vehicle approved as heavy-duty, Euro VI D or Euro VI E standards, for motor vehicles of categories M1, M2, N1 and N2, as defined in Annex I to Regulation (EU) 2018/858, with a reference mass exceeding 2 610 kg, and for all motor vehicles of categories M3 and N3, as defined in that Annex.

- In the case of a vehicle approved as light-duty, Euro 6d-ISC or Euro 6d-ISC-FCM standards, for motor vehicles of categories M1, M2, N1 and N2, as defined in Annex I to Regulation (EU) 2018/858 with a reference mass not exceeding 2 610 kg. "

This is in line with the measure description requirement for which **for the acquisition of firefighting equipment, only the best available technologies with the lowest environmental impacts in the sector shall be supported, taking into account the special purpose they are serving**.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C5]-R[I]-M[75], Entry into force of the amendment of the Water Law and the new Regulation replacing Royal Decree 1620/2007

Related Measure: ES-C[5]-R[R1], Water plans and strategies and regulatory changes

Qualitative Indicator: Provision of the Water Law on the entry into force

Time: Q2 2023

1. Context:

The objective of this reform is to review and update the Water Law, its regulations and other secondary legislation to ensure a legal framework favourable to foster investments, aligned with the European Green Deal. This will be achieved by adopting and revising a number of plans and strategies that form the basis of investments and water management in order to strengthen them and increase investments. The reform addresses several issues regarding all types of water such as an improved financial framework for wastewater reuse, a Water Strategy for Ecological Transition, the adoption of technical standards for the safety of dams and their reservoirs, the adoption of a national plan for wastewater, sanitation, water efficiency, savings and re-use (Plan Nacional de Depuración, Saneamiento, Eficiencia, Ahorro y Reutilización ("Plan DSEAR")), the third cycle of river basin management plans and the second-cycle review of flood risks management plans, among others.

Milestone 75 concerns the entry into force of an amendment of the Water Law to include a revision of taxes for wastewater discharges and the system for the recovery of water infrastructure costs in line with the polluter pays and cost recovery principles. In addition, it also concerns the entry into force of a new Regulation replacing the Royal Decree 1620/2007 that changes the regulatory and financial framework for the reuse of wastewater in line with the polluter pays and cost recovery principles, improving the monitoring and protection of water bodies, including groundwater, and addresses droughts and scarcity aspects.

Milestone 75 is the second and final step in the implementation of reform C5.R1 and it follows the completion of milestone 74 related to the entry into force of amendments to the Hydrological Planning Regulation (Royal Decree 1159/2021 of 28 December 2021).

2. Evidence provided:

i. A summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Royal Decree-Law 4/2023 of 11 May 2023, published in the national Official Journal *(Boletín Oficial del Estado*) No. 113 on 12 May 2023, adopting urgent measures in the field of agriculture and water in response to the drought and worsening conditions in the primary sector resulting from the war in Ukraine and weather conditions, as well as promoting the use of collective land public transport by young people and preventing occupational risks in episodes of high temperatures, and entered into force on 13 May 2023 (hereinafter referred to as "Royal Decree-Law 4/2023").

iii. Royal Decree 1085/2024 of 22 October 2024, published in the national Official Journal *(Boletín Oficial del Estado*) No. 256 on 23 October 2024, approving the water reuse regulation and amending various royal decrees regulating water management, and entered into force on 24 October 2024 (hereinafter referred to as "Royal Decree 1085/2024").

3. Analysis:

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

Entry into force of the amendment of the Water Law.

Royal Decree-Law 4/2023 (point ii of the evidence provided) was published in the national Official Journal on 12 May 2023 and entered into force on 13 May 2023, in accordance with the sixth final provision on entry into force.

The second final provision of Royal Decree-Law 4/2023 establishes that the recast text of the Water Law, that was approved by Royal Legislative Decree 1/2001 of 20 July 2001, is amended.

Amendment to the Water Law to include a revision of taxes for wastewater discharges and the system for the recovery of water infrastructure costs in line with the polluter pays and cost recovery principles.

The original Water Law, approved by Royal Legislative Decree 1/2001, includes two types of fees/taxes associated with the discharge of wastewater: (i) the discharge control fee – a fee for discharges into the public hydraulic domain – and (ii) the water use tariff – a fee for the use of water that is made available following specific hydraulic works financed in whole or in part by the State. The conditions for the payment of these fees/taxes are amended by the second final provision of Royal Decree-Law 4/2023 (point ii of the evidence provided), which introduces exemptions for reused water from the payment of the discharge control fee and the water use tariff. These exemptions are enshrined in:

- Article 109d of Royal Legislative Decree 1/2001, as introduced by final provision 2.8 of Royal Decree-Law 4/2023, related to the costs associated with water reuse, including in paragraph 2 the condition that the volume of water to be reused shall be exempt from the discharge control fee.

- Article 113(3) of Royal Legislative Decree 1/2001, related to the discharge control fee, as amended by final provision 2.9 of Royal Decree-Law 4/2023, to include the condition that the water actually reused during the tax period shall be deducted from the amount of the discharge control fee.

- Article 114(2) of Royal Legislative Decree 1/2001, related to the water use tariff, as amended by final provision 2.10 of Royal Decree-Law 4/2023, to include the condition that the payment of water use tariffs is exempted in situations where the river basin body, in the context of water planning, determines that the total or partial replacement of a surface or groundwater abstraction concession by reused water contributes to achieving the environmental objectives of water bodies or to optimising water resource management.

These exemptions from the payment of the discharge control fee and the water use tariff constitute a revision of the taxes/fees for wastewater discharges and the system for the recovery of water infrastructure costs. They incentivise water reuse and reward actors that reuse water vis-à-vis those that

do not reuse water, which is in line with the polluter pays principle. Furthermore, the discharge control fee and water use tariff are intended to recover the cost of pollution caused by the discharge of wastewater and the costs of carrying out hydraulic works to make water available for use again. These costs are not incurred when wastewater is reused instead of discharged to the public domain and there are no costs to recover. Exempting the volume of reused water from the payment of fees associated with the discharge of wastewater is, therefore, in line with the cost recovery principle, as it ensures that only the costs that are effectively incurred are recovered.

Also, as part of the revision of the taxes/fees for wastewater discharges and the system for the recovery of water infrastructure costs and in line with the cost recovery principle, the second final provision of Royal Decree-Law 4/2023 (point ii of the evidence provided) introduces additional hydrological activities that shall be subject to the payment of the water use tariff. In particular, these additional activities are enshrined in:

- Article 114(2) Royal Legislative Decree 1/2001, related to the water use tariff, as amended by final provision 2.10 of Royal Decree-Law 4/2023, to include the condition that works which do not regulate surface water or groundwater falling within one of the categories of hydraulic works listed in Article 122 (1) and (2) of the Water Law shall be considered to be specific works, in particular works aimed at desalination, supply, sanitation, purification and reuse. These activities were previously exempted from the payment of the water use tariff.

Entry into force of the new Regulation replacing the Royal Decree 1620/2007.

Royal Decree 1085/2024 (point iii of the evidence provided) was published in the national Official Journal on 23 October 2024 and entered into force on 24 October 2024, in accordance with the fifth final provision on entry into force.

The sole repeal provision of Royal Decree 1085/2024 establishes that provisions of equal or lower rank that run counter to the provisions of this Royal Decree, and in particular Royal Decree 1620/2007 of 7 December 2007 laying down the legal regime for the reuse of treated water, are repealed.

The new Regulation replacing the Royal Decree 1620/2007 shall change the regulatory and financial framework for the reuse of wastewater

Royal Decree 1085/2024 (point iii of the evidence provided) introduces a new regulatory and financial framework for water reuse in Spain including provisions pertaining to: (i) the production and supply of reused water (Chapter II); (ii) specific uses of reused water (Chapter III), (iii) quality requirements for reused water (Chapter IV); (iv) risk management in relation to water reuse (Chapter V); and (v) the promotion of water reuse including through the provision of financial incentives (Chapter VI). In particular:

- Article 5(1) of Royal Decree 1085/2024 establishes that the production and supply of reused water is subject to authorisation by the competent authority.

- Article 11 of Royal Decree 1085/2024 specifies the allowed private uses of reused water, including for urban, agricultural, livestock, forestry, aquaculture and recreational purposes.

- Article 16 of Royal Decree 1085/2024 establishes minimal quality requirements for reused water, which are contingent upon its intended use(s).

- Article 21 of Royal Decree 1085/2024 establishes that water reuse shall be subject to the provisions to be included in dedicated water reuse risk management plans.

- Article 25 of Royal Decree 1085/2024 establishes that public administrations should promote water reuse as a means to promote the circular economy, strengthen adaptation to climate change, reduce pressure from abstraction and discharge, and tackle drought, by providing the economic instruments they deem appropriate.

- Article 26 of Royal Decree 1085/2024 establishes that authorities responsible for the supply, sanitation and treatment of agglomerations with more than 50 000 inhabitants shall draw up plans to promote the reuse of water associated with urban uses.

[...] **in line with the polluter pays and cost recovery principles [...]**

In line with the polluter pays and cost recovery principles, Royal Decree 1085/2024 (point iii of the evidence provided) empowers competent authorities to promote the reuse of water through economic incentives such as subsidies or exemptions from the water use tariff, associated with the replacement of natural water resources with reused water, to improve their quantitative status. In particular:

- Article 25 of Royal Decree 1085/2024 establishes that public administrations should promote water reuse as a means to promote the circular economy, strengthen adaptation to climate change, reduce pressure from abstraction and discharge, and tackle drought, by providing the economic instruments they deem appropriate. Public administrations may grant aid to the concessionaire of reused water, which may reach all the additional costs associated with water reuse, in the situations set out in Article 109d (1) of the amended Water Law.

As aforementioned, exempting water reuse from the payment of fees associated with the discharge of wastewater incentivises water reuse and rewards actors that reuse water vis-à-vis those that do not reuse water, which is in line with the polluter pays principle. Furthermore, exempting the volume of reused water from the payment of fees associated with the discharge of wastewater is in line with the cost recovery principle, as it ensures that only the costs associated with the discharge of wastewater that are effectively incurred are recovered.

[...] improving the monitoring and protection of water bodies, including groundwater [...]

In terms of improving the monitoring and protection of water bodies, including groundwater, Royal Decree 1085/2024 (point iii of the evidence provided) promotes the reuse of water by empowering river basin bodies, in the context of water planning, to identify situations where the replacement of surface or groundwater resources by reused water contributes to achieving environmental objectives or optimising water resource management, improving the monitoring and protection of water bodies. In particular:

- Article 24 of Royal Decree 1085/2024 specifies that, in accordance with Article 109d(1) of Royal Legislative Decree 1/2001, river basin bodies shall, in the framework of hydrological planning, identify the water bodies or exploitation systems where water reuse is considered necessary. To this end, more stringent discharge conditions may be defined, where appropriate, covering the quality of water required for other uses downstream of the point of discharge.

[...] and address droughts and scarcity aspects.

The promotion of water reuse by Royal Decree 1085/2024 (point iii of the evidence provided) is meant to contribute directly towards addressing droughts and scarcity aspects. This is enshrined in:

- Article 1(3) of Royal Decree 1085/2024, which establishes that the purpose of the regulation is to ensure that reused water is safe for established uses and thereby to ensure a high level of protection of the environment, human and animal health; promoting the circular economy; supporting adaptation to climate change; and to contribute to the sustainable satisfaction of water demands, to the achievement of the environmental and protection objectives of the public water domain (PHD) by addressing water scarcity and pressures from water resources.

- Article 25 of Royal Decree 1085/2024 establishes that public administrations should promote water reuse as a means to promote the circular economy, strengthen adaptation to climate change, reduce pressure from abstraction and discharge, and tackle drought, by providing the economic instruments that they deem appropriate.

In line with the description of the measure, **the reform shall address the review and update of the Water Law, its regulations and other secondary legislation, to ensure a legal framework favourable to foster investments.** Royal Decree-Law 4/2023 (point ii of the evidence provided) amends the text of the Water Law, that was approved by Royal Legislative Decree 1/2001. Royal Decree 1085/2024 (point iii of the evidence provided) replaces Royal Decree 1620/2007 and provides a new legal and financial framework for the reuse of water. Both Royal Decree-Law 4/2023 and Royal Decree 1085/2024 promote the reuse of water by providing economic/financial incentives to foster investments. This is also in line with the measure description, **that the reform shall address numerous issues regarding all types of water such as an improved financial framework for wastewater reuse [...].**

Furthermore, in line with the description of the measure, **these regulatory changes shall be aligned with the European Green Deal**.

By promoting the reuse of water, both Royal Decree-Law 4/2023 (point ii of the evidence provided) and Royal Decree 1085/2024 (point iii of the evidence provided) aim at limiting pollution from the discharge of wastewater, which is aligned with the European Green Deal's objective to better prevent and remedy pollution from air, water, soil, and consumer products[6].

4. Commission Preliminary Assessment: Satisfactory fulfilled

[6] Zero Pollution Action Plan - European Commission

Number and name of the Milestone: ES-C[C5]-I[I1]-T[76], Improved water and wastewater treatment infrastructures

Related Measure: ES-C[5]-I[I1], Implementation of treatment, sanitation, efficiency, savings, re-use and infrastructure safety (DESEAR) actions

Quantitative Indicator: Number (actions)

Baseline: 0

Target: 70

Time: Q2 2023

1. Context:

The measure aims to carry out four types of actions, namely (i) purification, sanitation and reuse of water measures, (ii) actions to improve efficiency and reduce water losses, (iii) investments to improve the safety of dams and reservoirs and (iv) actions to improve energy and water efficiency in the urban water cycle.

Target 76 concerns the completion of 70 actions to improve and/or build water and wastewater treatment infrastructures. This target aims to ensure compliance with Directive 91/271/EEC in case of wastewater treatment infrastructure, or respectively in case of water infrastructure, to improve efficiency and/or to reduce water losses in water distribution systems.

Target 76 is the first step of the implementation of investment C5.I1. It is followed by targets 427 and 428. Target 427 concerns the scale-up of target 76 to improve and/or build at least 129 water and wastewater treatment infrastructures. Target 428 concerns the entry into service of re-use water from wastewater treatment infrastructures in the purification treatment facility of Rincón de León in Alicante, improving the water management for irrigation in 18 500 hectares. The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of thetarget and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Copies of the certificates of completion (*'acta de recepción'* de obra for 81 actions; copies of the certificates of acceptance ('*certificado de conformidad*') for three minor actions, including their corresponding invoices) for each of the 84 water infrastructure projects (hereinafter referred to as "*actas de recepcion de obra*");

iii. Copy of the technical specifications for the wastewater treatment infrastructure project in Garbayuela, by consultancy MG of August 2021 (hereinafter referred to as "technical documentation");

iv. Copy of the certificate of completion (*'acta de recepción'* de obra) for the wastewater treatment infrastructure project in Garbayuela, of 15 May 2024 (hereinafter referred to as "*acta de recepcion de obra* for Garbayuela");

v. Copy of the tests performed by the Laboratory for the wastewater infrastructure of Garbayuela (hereinafter referred to as "report by a laboratory");

vi. Copy of Order of 13 June 2022 establishing the regulatory bases and organising the granting of aid, under competitive tendering arrangements, for improving supply and reducing losses on networks of small and medium-sized municipalities under the Recovery, Transformation and Resilience Plan and launching the call for applications for the 2022 financial year, published in the Official Journal of the Government of Andalusia No.121 on 27 June 2022 (hereinafter referred to as "terms of reference for Andalusia");

vii. Copy of Order AGM/10/2022 of 17 January approving the call for grants to improve water supply and reduce water losses in municipalities with fewer than 20 000 inhabitants, financed by the Recovery and Resilience Facility (Next Generation EU) under the Recovery, Transformation and Resilience Plan, published in the Official Journal of Aragon No. 15 on 24 January 2022 (hereinafter referred to as "terms of reference for Aragon");

viii. Copy of Decision of 6 May 2022 of the Regional Ministry of Regional Administration, Environment and Climate Change approving the regulatory bases and calling for grants to local authorities in the Principality of Asturias to improve the supply and reduction of losses in networks of small and medium-sized municipalities, published in the Official Journal of Asturias No. 93 on 17 May 2022 (hereinafter referred to as "terms of reference for Asturias");

ix. Copy of Order OBR/3/2021 of 23 July approving the regulatory bases for subsidies to the municipalities of Cantabria to improve supply and reduce losses in networks of small and medium-sized municipalities, published in the Official Journal of Cantabria No. 147 on 2 August 2021 (hereinafter referred to as "terms of reference for Cantabria");

x. Copy of Order 7/2022 of 18 January of the Regional Ministry of Agriculture, Water and Rural Development, establishing the regulatory bases for subsidies for the selection and implementation of projects relating to the improvement of supply and reduction of losses in drinking water networks for municipalities of less than 20 000 inhabitants of Castilla-La Mancha, as part of the Recovery, Transformation and Resilience Plan, published in the Official Journal of Castilla-La Mancha No. 14 on 21 January 2022 (hereinafter referred to as "terms of reference for Castilla-La Mancha");

xi. Copy of Order PRE/140/2022 of 13 June 2015 approving the regulatory bases for the procedure for granting subsidies for the improvement and renewal of low water supply networks for small and medium-sized municipalities in Catalonia as part of NextGenerationEU EU aid, published in the Official Journal of Catalonia No. 8689 of 14 June 2022 (hereinafter referred to as "terms of reference for Catalonia");

xii. Copy of Extract from the Resolution of 1 July 2022 of the Regional Ministry of Agriculture, Rural Development, Climate Emergency and Ecological Transition, establishing the regulatory bases and calling for applications for aid to improve the supply and reduction of network losses to municipalities below 20 000 inhabitants of the Autonomous Community of Valencia, published in the Official Journal of Valencia Region No. 9377 on 7 July 2022 (hereinafter referred to as "terms of reference for Valencia Region");

xiii. Copy of Order 7/2022 of 6 April 2022 of the Regional Minister for the Environment and Territory establishing the regulatory bases and approving the call for proposals for 2022 for grants to improve water supply and reduce losses in the networks of small and medium-sized municipalities in the Balearic Islands, financed by the European Union-Generation EU, published in the Official Journal Balearic Islands No. 48 on 9 April 2022 (hereinafter referred to as "terms of reference for the Balearic Islands");

xiv. Copy of Order 2244 of 22 June 2022 establishing the regulatory bases and the call for grants to improve supply and reduce losses on networks of small and medium-sized municipalities as part of the Recovery, Transformation and Resilience Plan, published in the Official Journal of the Canary Islands No. 133 of 6 July 2022 (hereinafter referred to as "terms of reference for the Canary Islands");

xv. Copy of Order STE/59/2022 of 27 September 2014 establishing the regulatory bases for granting subsidies to municipalities in the Autonomous Community of La Rioja to improve supply and reduce losses in networks of small and medium-sized municipalities under the Recovery, Transformation and Resilience Plan, published in the Official Journal of La Rioja No. 188 of 29 September 2022 (hereinafter referred to as "terms of reference for La Rioja");

xvi. Copy of Order of 7 June 2022 of the Regional Ministry of Water, Agriculture, Livestock, Fisheries, the Environment and Emergencies establishing the regulatory bases for subsidies for municipalities with a population of less than 20 000 inhabitants for the implementation of 'Projects for the Improvement of Supply and Reduction of Loss in Networks of Small and Medium-sized Municipalities', under the agreement concluded between the Region of Murcia and the Spanish Government, as part of the Recovery, Transformation and Resilience Plan, published in the Official Journal of the Region of Murcia No. 136 on 15 June 2022 (hereinafter referred to as "terms of reference for Murcia");

xvii. Copy of Decision 17E/2022 of 21 April of the Director-General for Local Administration and Depopulation, approving the call for subsidies for improving the supply and reduction of losses in networks of municipalities in Navarra with fewer than 20 000 inhabitants financed by the Recovery and Resilience Facility (NextGeneration EU) under the Recovery, Transformation and Resilience Plan, published in the Official Journal of Navarra No. 89 of 9 May 2022 (hereinafter referred to as "terms of reference for Navarra").

3. Analysis:

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

70 completed actions to improve and/or construct water and wastewater treatment infrastructures …

a. Water infrastructure

Spanish regions and local entities completed the improvement of 84 water infrastructures, hence overachieving the required 70 completed actions. The *actas de recepción de obra* (amongst which, *certificado de conformidad* for three minor actions, including their corresponding invoices) show that each of the improvements has been completed (point ii of the evidence provided). The 84 *actas de recepción de obra* also refer to the type of works, all of which concern water infrastructure improvements.

b. Wastewater treatment infrastructure

Spain has completed 1 project for the improvement of wastewater treatment infrastructure in the municipality of Garbayuela (Extremadura), as indicated in the technical documentation (point iii) of the evidence provided). The *acta de recepcion de obra* for Garbayuela shows that the improvement has been completed and that it concerns wastewater treatment infrastructure (point iv of the evidence provided).

…aiming at ensuring compliance with Directive 91/271/EEC (for wastewater infrastructure projects),

The wastewater treatment infrastructure project in the municipality of Garbayuela aims at ensuring compliance with Directive 91/271/EEC. This is indicated in the technical documentation (point iii of the evidence provided) of the project. Moreover, 10 laboratory sample reports (point v of the evidence provided) provide the results of 10 tests, over seven months, undertaken after the improvement action was completed, showing that the discharges from the wastewater treatment plan meet the concentration requirements laid down in Table 1 of Annex I to Directive 91/271/EEC, for biochemical oxygen demand (BOD5 at 20 °C) without nitrification, chemical oxygen demand, total suspended solids, phosphorus and nitrogen content. The assessment of the wastewater treatment infrastructure project in Garbayuela for the purposes of payments from the Recovery and Resilience Facility does not prejudge the assessment by the Commission in any other proceedings regarding Directive 91/271/EEC.

This is also in line with the description of the measure **“For new or upgraded wastewater treatment infrastructures, the treatment shall be newly designated or upgraded to a level at least in accordance with the Urban Waste Water Treatment Directive (Directive 91/271/EEC).”**

…or at improving the efficiency and/or reducing water losses in water distribution systems (for water infrastructure projects)

See assessment below with the measure description requirement

In line with the description of the measure, **the investment shall carry out the following actions:**

1. **Actions to improve efficiency and reduce water losses.**

In line with the description of the measure, **the actions shall implement one or more subsidy schemes for the improvement of efficiency in the supply networks of medium and small municipalities, allowing municipalities or entities with responsibility for water supply to improve it by reducing losses in distribution networks and actions to repair and improve water storage facilities.**

12 regions have implemented individual subsidy schemes (points vi) to xvii) of the evidence provided). The schemes in each region provide subsidies for the improvement of efficiency in the water supply networks of medium and small municipalities, notably actions to reduce water losses in distribution networks and actions to repair and improve water storage facilities. Medium and small municipalities, and in some cases also other entities with responsibility for water supply, are eligible under the terms of reference of the calls by each region, as will be outlined below for each of the 12 regions.

The regions that launched subsidy schemes for this purpose agreed to define medium and small municipalities as those with less than 20 000 inhabitants. This definition is generally used in Spain and laid down, for example, in Article 26 (2) of Law 7/1985 of 2 April regulating the bases of the local regime. The 12 regions that implemented subsidy schemes for the measure have used this definition in their terms of reference, as described below.

The terms of reference consider the municipalities or public bodies with responsibility for water supply themselves as eligible for the subsidies, and some regions also allowed private companies/entities responsible for providing the water service to receive subsidies to conduct the eligible works in medium and small municipalities. As outlined below, the terms of reference in the 12 regions all contain wording that ensures that the actions improve the efficiency in the supply networks of medium and small municipalities by reducing losses in distribution networks and actions to repair and improve water storage facilities.

More concretely:

Andalusia: Article 1 of the terms of reference for Andalusia (point vi of the evidence provided) provides that the subsidy programme covers investments in supply systems to improve efficiency, reduce losses in distribution networks and repair and improve reservoirs and purification facilities. Article 2(a) of the terms of reference for Andalusia on the eligible actions provides that these cover supply systems serving municipalities with a population of less than 20 000 inhabitants.

Aragon: Article 4 of the terms of reference for Aragon (point vii of the evidence provided) on the eligible actions provides that these cover installation of measuring and data transmission devices for knowledge of water losses in supply systems as well as renovation and improvement of municipal supply networks to reduce water losses, including Installation of meters at the control points of the supply system such as entry or exit of reservoirs. Article 6 of the terms of reference for Aragon provides that municipalities and smaller local authorities in municipalities belonging to the Autonomous Community of Aragon with fewer than 20 000 inhabitants are eligible to receive subsidies, as specified by Articles 8 and 9 of the terms of reference on the financing under the subsidy scheme.

Asturias: Rule 3 of the terms of reference for Asturias (point viii of the evidence provided) on the eligible actions and costs provides that these cover investments in water supply systems to improve efficiency,

reduce losses in distribution networks and repair and improve reservoirs and drainage facilities in small and medium-sized municipalities. Article 2 of the terms of reference for Asturias establishes that the beneficiaries are local authorities of municipalities with fewer than 20 000 inhabitants. Article 4 of the terms of reference for Asturias specifies the financing under the subsidy scheme.

Cantabria: Article 4 of the terms of reference for Cantabria (point ix of the evidence provided) on the eligible costs provides that these cover works to upgrade and renovate local water supply systems serving small and medium-sized municipalities (collection, adduction and transport, reservoirs, capacitors and distribution networks) and to reduce losses on the networks of these supply systems. Article 8 of the terms of reference for Cantabria establishes that the beneficiaries are local authorities of municipalities with fewer than 20 000 inhabitants. Article 2 of the terms of reference for Cantabria provides that the support takes the form of subsidies.

Castilla La Mancha: Article 2 of the terms of reference for Castilla-La Mancha (point x of the evidence provided) on eligible actions provides that these cover improvement and renewal of the water supply system (collection, adduction and transport, reservoirs, capacitors and distribution networks) and those to reduce losses in supply networks. Article 4 of the terms of reference provides that beneficiaries of the subsidies must be municipalities and smaller entities than municipalities with fewer than 20 000 inhabitants located in Castilla La Mancha and associations managing supply services serving municipalities with a population of less than 20 000 inhabitants. Article 6 of the terms of reference for Castilla-La Mancha specifies the financing under the subsidy scheme.

Catalonia: Article 6 of the terms of reference for Catalonia (point xi of the evidence provided) on eligible actions provides that these cover investment actions in supply systems to reduce water consumption and improve efficiency, including elements of technological innovation, to reduce losses on existing low distribution networks and repairing and improving storage or purification facilities. Article 3 of the terms of reference for Catalonia provides that beneficiaries of the subsidies must be municipalities with less than 20 000 inhabitants, as well as associations of municipalities, the Comarcal Councils, and other bodies governed by public law, which have delegated the power to manage the water supply service at a low level or which own low water supply infrastructure, in respect of municipalities with fewer than 20 000 inhabitants.

Valencia region: Article 1 of the terms of reference for the Valencia Region (point xii of the evidence provided) region on the eligible actions provides that these cover works to improve water supply and reduce water losses in distribution networks, repair and improvement of reservoirs and water pumping facilities, in municipalities with fewer than 20 000 inhabitants in the Autonomous Community of Valencia. Article 2 of the terms of reference on beneficiaries provides that these are municipalities with less than 20 000 inhabitants. Article 5 of the terms of reference for the Valencia Region specifies the financing under the subsidy scheme. Article 2 of the terms of reference for the Valencia Region provides that the beneficiaries are municipalities with less than 20 000 inhabitants.

Balearic Islands: Article 9 of the terms of reference for the Balearic Islands (point xiii of the evidence provided) on the eligible actions provides that these cover works in medium and small municipalities that improve efficiency in water supply, reducing losses on the distribution network, repair and improvement of abstraction, reservoir and pouring facilities and any other project, within the framework of the “Plan

for the improvement of supply and reduction of losses in the networks of small and medium-sized municipalities", which will have the significant effect on water and energy savings and better security of supply. Article 7 of the terms of reference for the Balearic Islands provides that the beneficiaries must be entities responsible for supply in each territorial area, including local and regional authorities (municipalities and island councils), corporations governed by public law, consortia, manages, public undertakings or concessionaires, water communities, constituted under the applicable legislation, user communities provided for under state water law, or other similar bodies, as long as their projects are in small and medium municipalities.

Canary Islands: Article 5 of the terms of reference for the Canary Islands (point xiv of the evidence provided) on the eligible actions provides that these cover improvement and renewal of local supply systems serving small and medium-sized municipalities with less than 20 000 inhabitants (abstraction, adduction and transport, reservoirs, power plants and distribution networks) and those aimed at reducing losses in the networks of these supply systems, saving water consumption or increasing the guarantee of supply. Article 6 of the terms of reference for the Canary Islands specifies the financing under the subsidy scheme.

La Rioja: Article 4 of the terms of reference for La Rioja (point xv of the evidence provided) on the eligible actions provides that these cover works to upgrade and renovate local water supply systems serving small and medium-sized municipalities (collection, adduction and transport, reservoirs, capacitors and distribution networks) and those aimed at reducing losses on the networks of these supply systems. Article 2 of the terms of reference for La Rioja on beneficiaries provides that these are municipalities with less than 20 000 inhabitants. Article 3 of the terms of reference for la Rioja specifies the financing under the subsidy scheme.

Murcia: Article 5 of the terms of reference for Murcia (point xvi of the evidence provided) on the eligible actions provides that these cover the actions listed in Article 2 of the terms of reference, namely projects aimed at implementing water supply system actions to improve efficiency, reduce losses in distribution networks and repair and upgrade reservoirs and drainage facilities in small and medium-sized municipalities below 20 000 inhabitants. Article 4 of the terms of reference for Murcia on beneficiaries provides that these are municipalities with less than 20 000 inhabitants. Article 3 of the terms of reference for Murcia specifies the financing under the subsidy scheme.

Navarra: Rule 6 of the terms of reference for Navarra (point xvii of the evidence provided) on the eligible costs provides that these cover works for the improvement and renewal of high water supply systems (abstraction, adduction and transport, reservoirs, pumping machines and distribution networks) and distribution network serving municipalities of less than 20 000 inhabitants, aimed at reducing losses to the networks of these supply systems, saving consumption or increasing the guarantee of supply. Article 4 of the terms of reference for Navarra on the eligible beneficiaries provides that these are municipalities or other local authorities which have the competence to provide supply services and which propose actions affecting supply systems serving municipalities with a population of less than 20 000 inhabitants. Article 7 of the terms of reference for Navarra specifies the financing under the subsidy scheme.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C5]-I[I]-T[81], Restoration of degraded areas and ecosystems across at least 100 kilometres of coastline

Related Measure: ES-C[5]-I[I4], Adapting the coastline to climate change and implementing Marine Strategies and Maritime Spatial Planning Plans

Quantitative Indicator: Number (kilometres)

Baseline: 50

Target: 100

Time: Q2 2023

1. Context:

The measure aims to implement the Strategy for Adaptation of the Coastal to the Effects of Climate Change, with the objective to increase the resilience of the Spanish coast to climate change, and to integrate climate change adaptation into the planning and management of the Spanish coast. This investment shall also protect and restore the coastal ecosystems or degraded areas as well as improve the accessibility to the public land-based maritime domain. Finally, this investment shall also address the implementation of strategic marine planning policies.

Target 81 concerns the completion of restoration works across at least 100 kilometres of coastline (with baseline 50 km), including any of the following actions: i) combatting erosion and strengthening the coastline and remote monitoring; ii) protecting and restoring the coastal eco-systems or degraded areas; iii) improving the accessibility to the public land-based maritime domain; and iv) implementing strategic marine planning policies.

Target 81 is the second step of the implementation of investment C5.I4. It follows the completion of Target 80 regarding the completion of restoration works across at least 50 kilometres of coastline. It will be followed by the final target 81b, consecutive to Targets 80 and 81, aiming to complete restoration works across 145 kilometres of coastline. The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Annex including the list of actions undertaken, and for each one: a) the name, the location and a brief description; b) extract of the relevant parts of the technical specifications of the project aligned with the CID; c) the type of action undertaken; d) the number of kilometres of coastline restored and protected; e) the name of the certificate of completion.

iii. Document summarising the works implemented in the Balearic Islands, including the location, the type of action and a brief description, and the amount of km restored.

iv. Award to the company who implements the actions in the Balearic Islands.

v. Certificate of execution of works implemented in the Balearic Islands signed by the contractor and the contracting authority.

vi. Document including the works implemented in the Balearic Islands.

vii. Document summarising the works implemented in Camarinas, A Coruna, Galicia, including the location, the type of action and a brief description, and the amount of km restored.

viii. Award to the company who implements the actions in Camarinas, A Coruna, Galicia.

ix. Certificate of completion of works implemented in Camarinas, A Coruna, Galicia, signed by the contractor and the contracting authority.

x. Document including the works implemented in Camarinas, A Coruna, Galicia.

xi. Document summarising the works implemented in the beaches of Peizas and Pampillosa, in Foz, Lugo, Galicia, including the location, the type of action and a brief description, and the amount of km restored.

xii. Contract between the contractor and the contracting authority to implement the works in the beaches of Peizas and Pampillosa, in Foz, Lugo, Galicia.

xiii. Document including the works implemented in the beaches of Peizas and Pampillosa, in Foz, Lugo, Galicia.

xiv. Reception report (*"'acta de recepción'")* of works implemented in the beaches of Peizas and Pampillosa, in Foz, Lugo, Galicia, signed by the contractor and the contracting authority.

xv. Document summarising the works implemented in the beach of Arealonga, Lugo, Galicia, including the location, the type of action and a brief description, and the amount of km restored.

xvi. Contract between the contractor and the contracting authority to implement the works in the beach of Arealonga, Lugo, Galicia.

xvii. Document including the works implemented in the beach of Arealonga, Lugo, Galicia.

xviii. Reception report (*"'acta de recepción'")* of works implemented in the beach of Arealonga, Lugo, Galicia, signed by the contractor and the contracting authority.

xix. Document summarising the works implemented in the beaches of Malapesquera y Santa Ana, in Benalmadena, Malaga, Andalucia, including the location, the type of action and a brief description, and the amount of km restored.

xx. Contract between the contractor and the contracting authority to implement the works in the beaches of Malapesquera y Santa Ana, in Benalmadena, Malaga, Andalucia.

xxi. Document including the works implemented in the beaches of Malapesquera y Santa Ana, in Benalmadena, Malaga, Andalucia.

xxii. Reception report (“*‘acta de recepción’”)* of works implemented in beaches of Malapesquera y Santa Ana, in Benalmadena, Malaga, Andalucia, signed by the contractor and the contracting authority.

xxiii. Document summarising the works implemented in the beaches of Saler and Garrofera, in Valencia, including the location, the type of action and a brief description, and the amount of km restored.

xxiv. Contract between the contractor and the contracting authority to implement the works in the beaches of Saler and Garrofera, in Valencia.

xxv. Document including the works implemented in the beaches of Saler and Garrofera, in Valencia.

xxvi. Reception report (“*‘acta de recepción’”)* of works implemented in beaches of Saler and Garrofera, in Valencia, signed by the contractor and the contracting authority.

xxvii. Document summarising the works implemented in the beach of Les Deveses in Denia, Alicante, including the location, the type of action and a brief description, and the amount of km restored.

xxviii. Contract between the contractor and the contracting authority to implement the works in the beach of Les Deveses in Denia, Alicante.

xxix. Document including the works implemented in the beach of Les Deveses in Denia, Alicante.

xxx. Reception report (“*‘acta de recepción’”)* of works implemented in the beach of Les Deveses in Denia, Alicante.

xxxi. Document summarising the works implemented in the beaches of El Forti and Forat in Castellon, including the location, the type of action and a brief description, and the amount of km restored.

xxxii. Award of the contract between the contractor and the contracting authority to implement the works in the beaches of El Forti and Forat in Castellon.

xxxiii. Document including the works implemented in the beaches of El Forti and Forat in Castellon.

xxxiv. Reception report (“*‘acta de recepción’”)* of works implemented in the beaches of El Forti and Forat in Castellon.

xxxv. Document summarising the works implemented in Formentera, including the location, the type of action and a brief description, and the amount of km restored.

xxxvi. Award of the contract between the contractor and the contracting authority to implement the works in Formentera.

xxxvii. Document including the works implemented in Formentera.

xxxviii. Reception report (“*‘acta de recepción’”)* of works implemented in Formentera.

3. Analysis:

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

Completion of works across at least 100 kilometres of coastline which shall include any of the following:

(i) Increase the resilience of the Spanish coast to the adverse effects of climate change by combating erosion and strengthening the coastline and remote monitoring. This shall consider the creation of breakwater, artificial beaches, floating surfaces, sediment management, nature based solutions, beach and dune system restoration, coastal protection infrastructure, implementation of smart grids for coastal erosion monitoring, better knowledge or actions with similar effects.

(ii) **Protect and restore the coastal eco-systems or degraded areas. This shall be done by (a) relocating installations affected by backsliding; (b) delimiting the State-owned land-based maritime domain; (c) recovering improperly or inappropriately occupied Stated-owned maritime land; (d) risk assessment and management or similar actions; (e) environmental recovery of degraded coastal areas and ecosystems; (f) conservation and management of the coastline; (g) better knowledge and/or (h) actions with similar effects.**

(iii) **Improve orderly and correct accessibility to the public land-based maritime domain. This shall be done by recovering land to provide access to the public domain, planning, management and restoration of access, better knowledge or actions with similar effect.**

(iv) **Implementation of strategic marine planning policies and better knowledge. This shall be done by the implementation of Maritime Spatial Planning, Marine Strategies, scientific advice on oceans, climate and coasts, and the development of a georeferenced web application for sea users.**

To reach the target of works completed across at least 100 kilometres of coastline, multiple eligible actions/works across four broad areas are included in the target description.

The works completed under target 81 are the following:

- A set of works have been completed to restore a total of **24.95 km of coastline** in the Balearic Islands (point iii and v of the evidence provided). These works include the reparation of sand collectors that were broken and the implementation of new ones; supply, replacement and repair of soft and hard fences; completion of elevated wood walkways and stairs; and remove invasive species (included in evidence iii and vi of the evidence provided). The different works have been

completed to **increase the resilience of the Spanish coast to the adverse effects of climate change by combating erosion and strengthening the coastline** by the **restoration of beach and dune system** and the implementation of **nature-based solutions.** In addition, the works have also contributed to **protect and restore the coastal eco-systems or degraded areas by environmental recovery of degraded coastal areas and ecosystems and the conservation and management of the coastline**.

- A set of works have been completed to restore **6.53 km of coastline** in Camarinas, A Coruna, Galicia (points vii and ix of the evidence provided). The works completed consist of reducing the car lane to improve the conservation of the area and protect the coastline and conditioning the pedestrian path (points vii, viii, and x of the evidence provided). This contributes to **restoring the coastal eco-system or degraded areas by recovering improperly or inappropriately occupied stated-owned maritime land, environmental recovery of degraded coastal areas and ecosystems and conservation and management of the coastline** (evidence vii, viii, and x of the evidence provided). In addition, it contributes to **improving orderly and correct accessibility to the public land-based maritime domain by restoring, managing and planning the access** (points vii, viii, and x of the evidence provided).

- A set of workshave been completed to restore **1.75 km of coastline** in the beaches of Peizas and Pampillosa, in Foz, Lugo, Galicia (points xi, xii xiii and xiv of the evidence provided). The works completed consist of removing vehicle lanes as well as other elements that were not intrinsic to the path such as buildings or lighting. In addition, the elements showing the path were adjusted (points xi and xiii of the evidence provided). This contributes to **protecting and restoring the coastal eco-systems or degraded areas by the environmental recovery of degraded coastal areas and ecosystems and the conservation and management of the coastline** (points xi and xiii of the evidence provided)**. In addition, it contributes to improving orderly and correct accessibility to the public land-based maritime domain by planning, managing and restoring the access** (points xi and xiii of the evidence provided).

- A set of works have been completed to restore **0.9 km of coastline** in the beach of Arealonga, in Lugo, Galicia (point xv of the evidence provided). The works implemented consist of removing exotic species and replacing them by native species, demolition of constructions, and the adaptation for public use of the dune system in Arealonga beach (points xv, xvi, xvii and xviii of the evidence provided). These works contributed to **increasing the resilience of the Spanish coast to the adverse effects of climate change by combating erosion and strengthening the coastline by restoring the beach and dune system** (point xv and xvii of the evidence provided)**.** In addition, these actions contributed to **protecting and restoring the coastal eco-systems or degraded areas by recovering improperly or inappropriately occupied stated-owned maritime land, environmental recovery of degraded coastal areas and ecosystems, and the conservation and management of the coastline** (point xv and xvii of the evidence provided). Moreover, **the actions contributed to improving orderly and correct accessibility to the public land-based maritime domain by planning, managing and restoring the access** (point xv and xvii of the evidence provided).

- A set of works have been implemented to restore **1.40 km of coastline** in the beaches of Malapesquera and Santa Ana, in Benalmadena, Malaga, Andalucia. The works completed consisted of creating a breakwater between the beach of Malapesquera and Santa Ana (point xix, xx, xxi and xxii of the evidence provided). This contributed to **increase the resilience of the Spanish coast to the adverse effects of climate change by combating erosion and strengthening the coastline by the creation of the breakwater and coastal infrastructure protection, as well as by the management of sediments** (points xix and xxi of the evidence provided).

- A set of works have been completed to restore 7.13 km of coastline in the beaches of Saler and Garrofera, in Valencia (point xxiii and xxv of the evidence provided). Given that 1.62km of restored coastline in overlapping beaches of Saler and Garrofera had already been put forward for the achievement of Target 80, a total of **5.51 km restored coastline** is taken into account for the achievement of Target 81. The works completed consisted of creating a breakwater, managing the sediments correctly and restoring with nature-based solutions a beach and a dune system. These works contributed to **increasing the resilience of the Spanish coast to the adverse effects of climate change by combating erosion and strengthening the coastline by the creation of a breakwater and coastal protection infrastructure, sediment management, nature-based solution and beach and dune system restoration** (points xxiii and xxv of the evidence provided). These actions also contributed to **protecting and restoring the coastal eco-systems or degraded areas by environmental recovery of degraded coastal areas and ecosystems and the conservation and management of the coastline** (points xxiii and xxv of the evidence provided).

- A set of works have been completed to restore 4.6 km of coastline in the beach of Les Deveses in Denia, Alicante (points xxvii and xxix of the evidence provided). Given that 3.38km of restored coastline in the overlapping beach of Les Deveses in Denia had already been put forward for the achievement of Target 80, a total of **1.22 km restored coastline** is taken into account for the achievement of Target 81. The works completed consisted of creating two break waters and prolonged and existing one, managing the sediments correctly and restoring with nature-based solutions a beach and dune system. These actions contributed to **increasing the resilience of the Spanish coast to the adverse effects of climate change by combating erosions and strengthening the coastline by the creation of a breakwater and coastal protection infrastructure, sediment management, nature-based solution and beach and dune system restoration** (points xxvii, xxix and xxx of the evidence provided). These actions also contributed to **protecting and restoring the coastal eco-systems or degraded areas by environmental recovery of degraded coastal areas and ecosystems and the conservation and management of the coastline**.

- A set of works have been completed to restore **1.09 km of coastline** in the beaches of El Fortí and Forat in Castellón (points xxxi and xxxiii of the evidence provided). The works implemented consisted of restoring and amplifying breakwaters in the beach of El Fortí and managing the sediments correctly. These works contributed to **increasing the resilience of the Spanish coast to the adverse effects of climate change by combating erosion and strengthening the coastline by the creation of a breakwater and coastal protection infrastructure and sediment management** (points xxxi and xxxiii)of the evidence provided). In addition, these works also contributed to **protecting and restoring the coastal eco-systems or degraded areas by environmental recovery**

of degraded coastal areas and ecosystems and the conservation and management of the coastline (points xxxi and xxxiii of the evidence provided).

- A set of works have been completed to restore 5.03 km of coastline in Formentera (points xxxv and xxxvii of the evidence provided). Given that 0.29km of restored coastline in overlapping beaches of Formentera, specifically in Illetes (170 metres), Cala Saona (72 metres) and Es Caló (46 metres), had already been put forward for the achievement of Target 80, a total of **4.74 km restored coastline** is taken into account for the achievement of Target 81. The works implemented consisted on repairing, improving and closing accesses to beaches and dunes. These works have contributed to **protecting and restoring the coastal ecosystems or degraded areas by recovering improperly or inappropriately occupied Stated-owned maritime land, environmental recovery of degraded coastal areas and ecosystems and conservation and management of the coastline** (points xxxv and xxxvii of the evidence provided). In addition, the works have also contributed to **improve orderly and correct accessibility to the public land-based maritime domain by planning, managing and restoring access** (points xxxv and xxxvii of the evidence provided).

According to the evidence provided, Spain completed works across **48.09 km of coastline**. Spain has completed works to increase the resilience of the coast to the adverse effects of climate change, protected and restored coastal eco-systems and improved orderly and correct accessibility to the public land-based maritime domain. As part of the fourth payment request, Spain submitted evidence to support the restoration of 53.81 km of coastline, under Target 80 of the same investment, exceeding the requirement for Target 80 of 50 km of coastline (which is the baseline for Target 81) by 3.81 km. Given the link between Target 80 and the subsequent Target 81 the inclusion of these additional units in the assessment of the satisfactory fulfilment of the sequential Target 81 is warranted. Notably, the cumulative km of the coastline completed under the investment C5.I4 so far is **101.9 km.**

4. Commission Preliminary Assessment: Satisfactorily fulfilled.

Number and name of the Milestone: ES-C[C7]-R[R1]-T[107], Cumulative additional renewable energy capacity installed in Spain

Related Measure: ES-C[7]-R[R1], Regulatory framework for the promotion of renewable generation

Quantitative Indicator: Number

Baseline: 0

Target: 6000

Time: Q2 2023

1. Context:

The objective of this measure is to strengthen the regulatory framework for the promotion of renewable generation. The aim of this reform is to: (i) increase certainty and encourage private investment in renewable energy, (ii) remove barriers to the deployment of renewables and (iii) improve the integration of renewable energy in the environment, the electrical system and in different sectors.

Target 107 consists of the installation of at least 6000 megawatts (MW) of additional cumulative renewable energy production supported by the new legislative framework included in reform C7.R1.

Target 107 is the last step of the implementation of the reform. It follows the completion of milestones 102, 103, 104, 105, related to the entry into force of (i) Royal Decree Law 23/2020 (energy measures), (ii) Royal Decree 960/2020 (economic regime for renewable energy), (iii) Royal Decree 1183/2020 (connection of renewables to the electricity grid) and (iv) the Law on Climate Change and Energy Transition, respectively. It is preceded by target 106, related to the award of cumulative additional renewable energy capacity in Spain. The final date for implementation of the reform was 31 December 2023.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. A spreadsheet with a list of the renewable energy facilities installed, including for each one: a) the name, the location ; b) extract of the relevant parts of the specifications of the project providing alignment with the description of the target and reform in the CID Annex; c) the type of renewable energy capacity; and d) the amount of cumulative additional production capacity for renewable energy installed (in MW), since 1 April 2020.

iii. Royal Decree 960/2020 of 3 November which regulates the economic regime for renewable energies for electricity production facilities, published in the national Official Journal (Boletín Oficial del Estado), No. 291, of 4 November 2020 (hereinafter referred to as “Royal Decree 960/2020”), entered into force on 5 November 2020.

iv. Order TED/1161/2020 of 4 December which regulates the first auction mechanism for the award of the economic regime for renewable energies and establishes the indicative timetable for the award scheme for the period 2020-2025, published in the national Official Journal (Boletín Oficial del Estado), No. 318, of 5 December 2020 (hereinafter referred to as "Order TED/1161/2020"), entered into force on 5 December 2020.

v. Law 7/2021on climate change and energy transition, published in the national Official Journal (Boletín Oficial del Estado), No. 21, of 21 May 2021 (hereinafter referred to as "Law 7/2021"), entered into force on 22 May 2021.

vi. Resolution of 10 December 2020 of the State Secretariat for Energy, launching the first auction for the award of the economic regime for renewable energies under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 324 of 12 December 2020, available online: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2020-16068 .

vii. Resolution of 26 January 2021 of the General Directorate of Energy Policy and Mining, closing the first auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 24 of 28 January 2021, available online: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-1251;

viii. Resolution of 17 June 2021 of the Directorate-General for Policy Energy and Mining, registering in the electronic register of economic regime for renewable energy in pre allocation state applications under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 156 of 1 July 2021, available online: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-10947 .

ix. Resolution of 8 September 2021 of the State Secretariat for Energy, convening the second auction for the award of the economic scheme for renewable energy under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 216 of 9 September 2021, available online: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-14750

x. Resolution of 20 October 2021 of the General Directorate of Energy Policy and Mining, closing the second auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 255 of 25 October 2021 https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-17335;

xi. Resolution of 16 February 2022 of the Directorate-General for Policy Energy and Mining, registering in the electronic register of economic regime for renewable energy in pre-allocation state applications under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 66 of 18 March 2022, available online: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2022-4344

xii. Resolution of 10 March 2022 of the Directorate-General for Policy Energy and Mining, registering in the electronic register of economic regime for renewable energy in pre-allocation state applications under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 68 of 21 March 2022, available online: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2022-4494

xiii. Resolution of 18 July 2022 of the State Secretariat for Energy, convening the third auction for the granting of the scheme renewable energy economy under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 180 of 28 July 2022, available online: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2022-12630

xiv. Resolution of 26 October 2022 of the General Directorate of Energy Policy and Mining, closing the third auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 261 of 31 October 2022, available online: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2022-17796

xv. Resolution of 9 March 2023 of the Directorate-General for Policy Energy and Mining, registering in the Electronic Register of Renewable Energy Scheme in pre-allocation status of applications relating to the auction held on 25 October 2022 for the granting of the economic scheme for renewable energy under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 73 of 27 March 2023, available online: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2023-7866

xvi. Resolution of 2 August 2022 of the State Secretariat for Energy, launching the fourth auction for the granting of the scheme renewable energy economy under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 187 of 5 August 2022, available online: https://www.boe.es/buscar/doc.php?id=BOE-A-2022-13228

xvii. Resolution of 23 November 2022 of the General Directorate of Energy Policy and Mining, closing the fourth auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 of 4 December, published in the national Official Journal (Boletín Oficial del Estado) No. 291 of 5 December 2022 https://www.boe.es/diario_boe/txt.php?id=BOE-A-2022-20540;

xviii. Resolution of 16 March 2023 of the Directorate-General for Policy Energy and Mining, registering in the electronic register of economic regime for renewable energy in pre-allocation state applications relating to the auction held on 22 November 2022, for the granting of the economic renewable energy scheme, under Order TED/1161/2020 of 4 December 2007, published in the national Official Journal (Boletín Oficial del Estado) No. 68 of 21 March 2023, available online: https://www.boe.es/buscar/act.php?id=BOE-A-2023-7333;

xix. Link to single national online public registry of installations for the production of electricity, in which all installations producing electricity from renewable energy sources cogeneration and waste must be registered, in accordance with Royal Decree 413/2014 of 6 June regulating the production of electricity from renewable energy sources, cogeneration and waste, available online: https://energia.serviciosmin.gob.es/Pretor/Vista/Informes/InformesInstalaciones.aspx

3. Analysis:

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

Cumulative additional renewable energy capacity installed in Spain during the period Q1 2020-Q42023, [...] at least 6 000 MW built.

According to the single national online public registry (i.e. RAIPREE) (points i), ii) and xix) of the evidence provided), the power built in 2020 (starting on 1 April), was 2 116 MW. In 2021, the capacity built was 3 910 MW. In 2022 and 2023, there were 5 018 MW and 7 081 MW built, respectively.

Consequently, the total power entered in the single national online public registry (i.e. RAIPREE) and therefore the additional installed capacity reached 18 125 MW, exceeding the original target of 6 000 MW built (points i), ii) and xix) of the evidence provided).

The Commission services conducted an on-the-spot check on 31 January 2025 to verify the alignment of the annex submitted for target 107 (point ii) of the evidence provided) with the data from RAIPREE (and its online dashboard platform, PRETOR) managed by the General Deputy Directorate for electricity energy. This check was completed successfully, confirming that the data showed in the online public registry matched the information provided in the list submitted (point ii) of the evidence provided.

[…] under the new enabling legislative framework included in reform C7.R1 (including the auction mechanism established through RD 960/2020, new regulation on access and connection permits, and on hybridisation): [...].

In line with the CID requirements, the installed capacity assessed should cover the period Q1 2020-Q42023 and the new legislative framework included in reform **C7.R1** which includes::

- Royal Decree Law 23/2020 (assessed under M102 under the first payment request) which approves energy measures aiming at setting the legal basis for a new auction scheme, defining new participants in the energy sector, such as independent aggregators and renewable energy communities, and contributing to rationalize access and connection permits;

- Royal Decree 960/2020 (assessed under M103 under the first payment request) which regulates the economic regime for renewable energy;

- Royal Decree 1183/2020 (assessed under M104 under the first payment request) which regulates the order (rationalisation) of access and connection of renewable energy to the electricity grid and hybridisation.

Order TED/1161/2020 (point iv of the evidence provided), which entered into force on 5 December 2020, implements this framework and is the subsequent step of the new enabling legislative framework included in reform C7.R1.

This cumulative additional production capacity for renewable energy is supported under this new enabling legislative framework for each of the three pillars mentioned above:

i) The cumulative additional production capacity for renewable energy provided by Order TED/1161/2020 is also supported under the new regulation on access and connection permits. Royal Decree Law 23/2020 establishes a framework for regulatory reforms relating to, *inter alia*, auctions for renewable energy, and access and connection permits to electricity networks (Article 1). Royal Decree 960/2020 regulates the economic regime for renewable energy established by Royal Decree Law 23/2020, as stipulated by recital

2 of Order TED/1161/2020. Order TED/1161/2020 is the first implementing regulation of Royal Decree 960/2020, as stipulated by its recital 5.

ii) The additional production capacity for renewable energy is supported under the auction mechanism established through RD 960/2020 (assessed under target 106).

iii) The cumulative additional production capacity for renewable energy provided by Order TED/1161/2020 is also supported under the new provisions related to hybridisation. Royal Decree-Law 23/2020 establishes the possibility of carrying out hybridisation projects for existing generation facilities using the same connection point (Article 4 and recital 36). Royal Decree 1183/2020, the last pillar of the enabling legislative framework, regulates the procedure for applying for and processing the conditions for access and connection for the hybridisation of electricity generation facilities and for updating, where appropriate, permits already granted (Articles 27 and 28). Order TED/1161/2020 is the first implementing regulation of this framework.

In line with the further specifications requirement in the OA, it is specified that **Royal Decree 413/2014 exhaustively regulates the official register of renewable generation (RAIPREE). In its Article 37, this Royal Decree indicates that it is mandatory for all facilities under the scope of the Royal Decree to be inscribed in the RAIPREE. Article 40 of the Royal Decree mandates that, in order to be inscribed in RAIPREE, the facility must hold a definitive authorisation for exploitation.**

The installed capacity can be measured by using the official administrative register of electricity generation installations (RAIPREE). To record installed/built capacity, Article 37 (1) of Royal Decree 413/2014 of 6 June requires that, in order to produce electricity from renewable energy sources, cogeneration and waste installations must enter in the administrative register of electricity generation installations (RAIPREE). According to Law article 21(3) of Law 24/2021 of 26 December, registration in the administrative register of electricity generation facilities is a necessary condition for participation in the electricity production market. It is therefore possible to consult this register to consult the installed renewable capacity online (point i), ii) and xix) of evidence provided) on RAIPREE (and its online dashboard platform, PRETOR). RAIPREE is the single national online public registry of installations for the production of electricity, in which all installations producing electricity from renewable energy sources cogeneration and waste must be registered, in accordance with Royal Decree 413/2014 of 6 June 2007 regulating the production of electricity from renewable energy sources, cogeneration and waste (in line with point i) and xix) of evidence provided).

Registration in is the last milestone of the administrative procedure and allows the facility to operate. Article 37 (1) of Royal Decree 413/2014 of 6 June indicates that it is mandatory for all facilities under the scope of the Royal Decree to be inscribed in the RAIPREE. The date of entry in the administrative register RAIPREE is later than the date of construction of the installation and the date on which it was put into service. Article 40 of the Royal Decree 413/2014 specifies that in order to obtain final registration in the register, the facilities must provide a definitive operating licence by the competent administration and demonstrate that the information, technical and operational requirements laid down in the legislation in force are met. All installations with the date of final registration in the Autonomous Community registered after April 2020 and before December 2023 were developed under the relevant regulatory

framework. Article 40(3) indicates that the date of final entry in the register corresponds to the date of the decision entering the installation in the registry**.**

For data protection reasons, not all registration information included in the spreadsheet indicated in point ii. of the evidence provided is available in the public online register (included in points i) and xix) of the evidence provided).

All installations with date of registration after April 2020 and before December 2023, which constitute the assessment period for this target, were developed under the updated regulatory framework referenced in the milestone and there is no other framework for such auctions. This is because the last auctions carried out under the previous framework, regulated under Royal Decree 413/2014, were carried out in 2017, and the latest deadline for the transition to operation in the calls for applications for that scheme was 28 March 2020 (by Article 15 of Order IET/2212/2015). Therefore, there is no installation entered in RAIPREE after April 2020 using the previous legal framework or any other framework (since the date of entry in the registry is necessarily after the date of transition to operation).

4. Commission Preliminary Assessment:

Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C7]-R[R2]-M[109], Completion of measures under the National self-consumption Strategy

Related Measure: ES-C[7]-R[R2], National self-consumption strategy

Qualitative Indicator: Publication of results on the webpage

Time: Q2 2023

1. Context:

The measure aims to improve and boost self-consumption as an alternative form of renewable generation. It identifies and develops measures to mitigate the main barriers to its deployment.

Milestone 109 concerns the implementation of key elements of the National self-consumption Strategy, including the publication of guidance on how to foster self-consumption, as well as the completion of trainings aimed at improving required skills.

Milestone 109 is the last milestone of the reform. It follows the completion of milestone 108, related to the adoption by the Council of Ministers and publication on government website of the National self-consumption Strategy.

The final date for implementation of the reform was 30 June 2023.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Spreadsheet including a list of the key measures completed for each requirement.

iii. Professional guidance drafted by the Solar and Self-Consumption Department of the Institute for the Diversification and Saving of Energy (IDAE) on processing self-consumption published in December 2021 (with updated edition version 5.1. published in July 2024), available online: https://www.miteco.gob.es/es/ministerio/planes-estrategias/hoja-ruta-autoconsumo.html

iv. Orientation guidance to municipalities drafted by the Solar and Self-Consumption Department of the Institute for the Diversification and Saving of Energy (IDAE) and the Spanish Solar Photovoltaic Association (UNEF) on how to foster self-consumption published in December 2021 (updated in October 2023), available online: 2023_10_20_Guia_Autoconsumo_Ayuntamientos_v4.pdf

v. Press note of the Ministry for the Ecological Transition and the Demographic Challenge, dated 5 May 2022 , on the publication of the Orientation guidance to municipalities on how to foster self-consumption.

vi. Copy of a statement by the association providing the training (APPA Renovables), which includes the programme of the training, the list of the trainees and the number of professionals trained in Sevilla on 17-18 April 2023.

vii. Copy of the training certificate of completion including number of professionals trained in Madrid on 8-9 May 2023.

viii. Copy of the training certificate of completion including number of professionals trained in Valencia on 5-6 June 2023.

ix. Copy of the training certificate of completion including number of professionals trained in Barcelona on 26-27 June 2023.

x. Copy of the training certificate of completion including number of professionals trained in Madrid on 22-23 November 2023.

xi. Copy of the training certificate of completion including number of professionals trained online on 13-14 December 2023.

3. Analysis:

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

Completion of key measures under the National self-consumption Strategy, including:

The publication on the website of the Ministry for the Ecological Transition of technical guidance

The "Professional Guide for the Processing of Self-Consumption" was published in January 2023 on the website of the Ministry for the Ecological Transition (evidence iii). The guide outlines the necessary steps for processing self-consumption electricity generation installations and is intended for the general public, particularly for companies installing self-consumption systems. Section 5 (pages 63 to 119) includes the latest administrative procedures launched by the Autonomous Communities for authorizing and legalizing self-consumption installations, built on collaboration with EnerAgen and the Autonomous Communities. Furthermore, section D (pages 159 to 172) includes examples of self-consumption models and section E (pages 173 to 180) include examples of documentation models.

The guidance to municipalities on how to foster self-consumption

Spain published the "Orientation Guide for Municipalities to Promote Self-Consumption" in May 2022 (evidence iii). This guide provides municipalities with recommendations and best practices to improve procedures applicable to self-consumption installations. It emphasizes the importance of using notification systems through responsible declarations for authorizations and construction licenses, a process already possible in most autonomous communities (as indicated in section 4 – pages 17 to 27-, section 6 –pages 33 and 34- and annex B -pages 53 to 56- which includes example of declarations). The guide also offers information on the current state of various regional land laws (in section A – pages 39 to 51-) and examples

of municipal ordinances to assist local entities in creating their own ordinances in line with self-consumption needs (in annex C – pages 57 to 65). **The completion of trainings made at improving required technical skills on renewable sources of renewable self-consumption for at least 500 professionals.**

The evidence provided confirms that, by the second quarter of 2023, a total of 711 professionals were trained in the course of ten sessions (nine in four different cities and of one online) to improve the relevant skills in relation to the usage and uptake of renewable energy self-consumption, including the improvements of technical competences in relation to security, health and quality (evidence vii to xi).

The individual certificates indicate the name of the cursus followed by the trainees ('Training course for professionals to improve skills in self-consumption' in Spanish: 'Curso de Formación a Profesionales para la Mejora de Competencias en Autoconsumo'), showing the completion of training to improve the technical skills on renewable sources of renewable self-consumption.

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C7]-R[R1]-T[106], Additional production capacity for renewable energy

Related Measure: ES-C[7]-R[R1], Regulatory framework for the promotion of renewable generation

Quantitative Indicator: Number (MW)

Baseline: 0

Target: 6000

Time: Q2 2023

1. Context:

The objective of this measure is to strengthen the regulatory framework for the promotion of renewable generation. The aim of this reform is to: (i) increase certainty and encourage private investment in renewable energy, (ii) remove barriers to the deployment of renewables and (iii) improve the integration of renewable energy in the environment, the electrical system and in different sectors.

Target 106 consists of the awarding of at least 6000 megawatts (MW) of additional cumulative renewable energy production supported under the new legislative framework included in reform C7.R1.

Target 106 is the fifth step of the implementation of the reform. It follows the completion of milestones 102, 103, 104 and 105, related to the entry into force of (i) Royal Decree Law 23/2020 (on energy measures), (ii) Royal Decree 960/2020 (on an economic regime for renewable energy), (iii) Royal Decree 1183/2020 (on the connection of renewables to the electricity grid) and (iv) the Law on Climate Change and Energy Transition, respectively. It is followed by target 107, related to the installation of cumulative additional renewable energy capacity in Spain, which is the last step of the implementation of the reform. The reform has a final expected date for implementation on 31 December 2023.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Resolution of 26 January 2021 of the General Directorate of Energy Policy and Mining, closing the first auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 of 4 December, published in the national Official Journal *(Boletín Oficial del Estado*) No. 24 of 28 January 2021.

iii. Resolution of 20 October 2021 of the General Directorate of Energy Policy and Mining, closing the second auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 of 4 December, published in the national Official Journal *(Boletín Oficial del Estado*) No. 255 of 25 October 2021.

iv. Resolution of 26 October 2022 of the General Directorate of Energy Policy and Mining, closing the third auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 of 4 December, published in the national Official Journal *(Boletín Oficial del Estado*) No. 261 of 31 October 2022.

v. Resolution of 23 November 2022 of the General Directorate of Energy Policy and Mining, closing the fourth auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 of 4 December, published in the national Official Journal *(Boletín Oficial del Estado*) No. 291 of 5 December 2022.

vi. Order TED/1161/2020 of 4 December which regulates the first auction mechanism for the award of the economic regime for renewable energies and establishes the indicative timetable for the award scheme for the period 2020-2025, published in the national Official Journal *(Boletín Oficial del Estado*), No. 318, of 5 December 2020 and entered into force on the day of its publication in the Official Journal, on 5 December 2020 (hereinafter referred to as "Order TED/1161/2020").

vii. Royal Decree 960/2020 of 3 November which regulates the economic regime for renewable energies for electricity production facilities, published in the national Official Journal *(Boletín Oficial del Estado*), No. 291, of 4 November 2020 and entered into force on the day of its publication in the Official Journal, on 4 November 2020 (hereinafter referred to as "Royal Decree 960/2020").

viii. A spreadsheet with a list of the awards indicating for each of the facilities: a) a unique identifier, the name and a brief description of the beneficiary; b) extract of the relevant parts of the specifications of the call providing alignment with the description of the target and reform in the CID Annex, including eligibility criteria; c) the type of renewable energy capacity and price; and d) the amount of cumulative additional production capacity for renewable energy awarded (in MW).

3. Analysis:

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

Cumulative additional production capacity for renewable energy supported under the new enabling legislative framework included in reform C7.R1 (including the auction mechanism established through RD 960/2020, new regulation on access and connection permits, and on hybridisation): (...).

The new enabling legislative framework included in reform C7.R1 includes:

- Royal Decree Law 23/2020 (assessed under M102 under the first payment request) which approves energy measures aiming at setting the legal basis for a new auction scheme, defining new participants in the energy sector, such as independent aggregators and renewable energy communities, and contributing to rationalize access and connection permits;

- Royal Decree 960/2020 (assessed under M103 under the first payment request) which regulates the economic regime for renewable energy;

- Royal Decree 1183/2020 (assessed under M104 under the first payment request) which regulates the order (rationalisation) of access and connection of renewable energy to the electricity grid and hybridisation.

Order TED/1161/2020 implements this framework and is the subsequent step of the new enabling legislative framework included in reform C7.R1.

This cumulative additional production capacity for renewable energy is supported under this new enabling legislative framework:

i) The cumulative additional production capacity for renewable energy is supported under the auction mechanism established through RD 960/2020. In application of Article 4.1 of Royal Decree 960/2020 (point vii of the evidence provided), Order TED/1161/2020 (point vi of the evidence provided), Article 1 regulates the first auction mechanism for the award of the economic regime for renewable energies for electricity production facilities.

In application of Article 7 of Royal Decree 960/2020, Article 5 of Order TED/1161/2020 provides that the product to be auctioned is the installed production capacity. Article 2 of Order TED/1161/2020 also stipulates that the auctions will be open to all renewable technologies included in the scope of application of Royal Decree 960/2020 (Article 2). Articles 1 and 23 of Order TED/1161/2020 establish an indicative timetable for the award scheme during the period 2020-2025, which includes indicative deadlines, the frequency of calls, and the expected annual volumes of accumulated power for each technology, in line with Article 12 of Royal Decree 960/2020.

In addition to the above, in application of chapter II of Royal Decree 960/2020, chapter III and IV of Order TED/1161/2020 regulate the aspects related to the auction mechanism.

ii) The cumulative additional production capacity for renewable energy provided by Order TED/1161/2020 is also supported under the new regulation on access and connection permits. Royal Decree Law 23/2020 establishes a framework for regulatory reforms relating to, *inter alia*, auctions for renewable energy, and access and connection permits to electricity networks (article 1). Royal Decree 960/2020 regulates the economic regime for renewable energy established by Royal Decree Law 23/2020, as stipulated by recital 2 of Order TED/1161/2020. Order TED/1161/2020 implements Royal Decree 960/2020, as stipulated by its recital 5.

iii) The cumulative additional production capacity for renewable energy provided by Order TED/1161/2020 is also supported under the new provisions related to hybridisation. Royal Decree-Law 23/2020 establishes the possibility of carrying out hybridisation projects for existing generation facilities using the same connection point (Article 4 and recital 36). Royal Decree 1183/2020, the last pillar of the enabling legislative framework, regulates the procedure for applying for and processing the conditions for access and connection for the hybridisation of electricity generation facilities and for updating, where appropriate, permits already granted (Articles 27 and 28). Order TED/1161/2020 implements this framework.

(...) at least 6000 MW awarded.

On the basis of Order TED/1161/2020 (point vi of the evidence provided), four auctions for the award of the economic regime for renewable energies were held on 26 January 2021, 20 October 2021, 26 October 2022 and 23 November 2022.

Annex 1 of the Resolution of 26 January 2021 of the General Directorate of Energy Policy and Mining, closing the first auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 (point ii of the evidence provided), provides that 3034 megawatts (MW) of production capacity for renewable energy were awarded.

Annex 1 of the Resolution of 20 October 2021 of the General Directorate of Energy Policy and Mining, closing the second auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 (point iii of the evidence provided), provides that 3124 MW of production capacity for renewable energy were awarded.

Annex 1 of the Resolution of 26 October 2022 of the General Directorate of Energy Policy and Mining, closing the third auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 (point iv of the evidence provided), provides that 177 MW of production capacity for renewable energy were awarded.

Annex 1 of the Resolution of 23 November 2022 of the General Directorate of Energy Policy and Mining, closing the fourth auction held for the award of the economic regime for renewable energies under Order TED/1161/2020 (point v of the evidence provided) provides that 45 MW of production capacity for renewable energy were awarded.

In total, 6380 MW of cumulative additional production capacity for renewable energy supported under the new enabling legislative framework included in reform C7.R1 were awarded, as summarized by the spreadsheet submitted by the Spanish authorities (point viii of the evidence provided).

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C7]-R[R4]-M[113], Entry into force of the regulatory measures identified in the map for offshore wind and other marine energy

Related Measure: ES-C[7]-R[R4], Framework for innovation and technological development in renewable energy

Qualitative Indicator: Provisions in the regulatory measures on entry into force

Time: Q2 2023

1. Context:

The objective of this reform is to strengthen the framework for innovation and technological development of several renewable energy sources, such as offshore wind energy and biogas, to progress towards the goal of 100% of renewables sources in energy demand. The measure also aims to facilitate R&D in renewable technologies.

Milestone 113 concerns the entry into force of the key regulatory measures identified in the map for offshore wind and other marine energy, to promote research and innovation and to support the deployment of floating technologies. These key measures must include: i) the final approval of the Maritime Spatial Planning Plans; ii) better coordination of the grid planning; and (iii) the offshore strategy and updating of the regulatory framework.

Milestone 113 is the second step of the implementation of the reform. It follows the completion of milestone 112, related to the publication of a roadmap for offshore wind and other marine energy. It is followed by milestone 114, related to the completion of measures identified in the roadmap on biogas, which is the last step of the implementation of the reform.

The final date for implementation of the reform was 30 June 2023.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Royal Decree 150/2023 of 28 February, published in the National Official Journal (Boletín Oficial del Estado), No. 54, of 4 March 2023, pages 32350 to 32578, which approves the Maritime Spatial Planning Plans of the five Spanish marine demarcations (hereinafter “Royal Decree 150/2023”), entered into force on 5 March 2023.

iii. Resolution of 8 April 2022 of the Secretary of State for Energy, publishing the Agreement of the Council of Ministers of 22 March 2022 approving the planning of the Horizon 2026 electricity transmission network (hereinafter “the planning of the Horizon 2026 electricity transmission network”), published in the Official Journal (Boletín Oficial del Estado) No. 93 of 19 April 2022, pages 53635 to 53639.

iv. Royal Decree 962/2024 of 24 September, published in the National Official Journal (Boletín Oficial del Estado), No. 232, of 25 September 2024, pages 117247 to 117270, which regulates the production of electricity from renewable sources in offshore installations (hereinafter "Royal Decree 962/2024"), entered into force on 26 September 2024.

v. Royal Decree-Law 8/2023 of 27 December, published in the National Official Journal (Boletín Oficial del Estado), No. 310, of 28 December 2023, pages 172622 to 172770, which adopts measures to address the economic and social consequences arising from the conflicts in Ukraine and the Middle East, as well as to alleviate the effects of the drought (hereinafter "Royal Decree Law 8/2023").

vi. Link to 'geographical viewer' INFOMAR, https://infomar.miteco.es/visor.html

3. Analysis:

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

Entry into force of the key regulatory measures identified in the map for Offshore wind and other marine energy, to promote research and innovation, and to support deployment of floating technologies. These key measures shall include: final approval of the Maritime Spatial Planning Plans, […]

The Roadmap for offshore wind and other marine energy (assessed under milestone 112 and second payment request) has identified the sub-set of key regulatory measures and actions identified and financed by the Recovery and Resilience Facility.

This action corresponds to the following key regulatory measures of the Roadmap for offshore wind and other marine energy:

3.1 - Definition and approval in the MEOP (Maritime Spatial Planning Plan) of zoning for the development of offshore wind farms, and

3.2 - Preparation and publication of geographical viewers with information on offshore wind and marine energy resources in Spain and the areas set out in the MEOP.

The entry into force of the Royal Decree 150/2023 (point ii of evidence provided) took place on 5 March 2023, the day after its publication in the Official Journal (Boletín Oficial del Estado), as per its second final provision (X final disposition of point ii). This Royal Decree approved the Maritime Spatial Planning Plans of the five Spanish marine demarcations. Article 1 (2) of the Royal Decree states that 'maritime spatial plans are instrumental in promoting the sustainable growth of maritime economies, the sustainable development of marine areas and the sustainable use of marine resources.' Article 3.4 ("Priority Use Zones") of section IV of this Royal Decree identifies two areas -BiMEP (Biscay Marine Energy Platform) and PLOCAN (Plataforma Oceánica de Canarias)- as eligible for use areas for research, development and innovation for the offshore trial of marine renewable technology demonstrators. Additionally, article 4.3 and table 23 of section IV of the Royal Decree include areas of high potential for research, development and innovation. Section 4.5. includes high potential for offshore wind energy development (ZAPER areas)

which show high suitability for the possible deployment of infrastructure for the exploitation of commercial offshore wind energy, spread out in 4 of the 5 marine districts.

As per the key measure 3.2. of the Roadmap, it contains the regulatory mapping resulting from the zoning established in the Maritime Spatial Planning Plan (MEOP). Furthermore, a 'geographical viewer' called INFOMAR has been published online https://infomar.miteco.es/visor.html (point vi of the evidence provided). It includes data on the offshore wind resource and marine energy in Spain, the bathymetry of this environment, the presence of other uses and activities (such as aquaculture, port activity, navigation, etc.), as well as environmental and protection values for the marine environment.

This is also in line with the measure description, that **th**[is] **measure shall implement the key regulatory measures identified in the road map to promote offshore wind farms, boost research and development and support the deployment of floating technologies.**

[…] better coordination of the grid planning and the offshore strategy […]

This action is linked to key regulatory measure 3.3. of the Roadmap for offshore wind and other marine energy.

The entry into force of the Royal Decree 962/2024 (point iv of the evidence provided) took place on 26 September 2024, the day after its publication in the Official Journal (Boletín Oficial del Estado). The entry into force of Royal Decree 962/2024 of 24 September 2006 regulating the production of electricity allowed for better coordination of the grid planning and the offshore strategy (sixth final disposition of point iv). Its recital 3 explicitly states its compliance with coordination measure 3.3 of the Roadmap: "Coordination of the framework for access and connection to the electricity grid, and new models for electricity network management". To improve coordination, Article 22 of the Royal Decree provides that nodes reserved for competitive tendering under Chapter V of Royal Decree 1183/2020 of 29 December 2011 may be used for the disposal of energy generated by offshore renewable installations. To that end, the Directorate-General for Energy Policy and Mining should request a report from the system operator on the access capacity of nodes reserved for competition where it is technically feasible to evacuate energy generated by offshore renewable installations through the transmission network. The report should contain at least the available access capacity to evacuate energy generated by such installations and an analysis of the connection possibilities.

In addition, the 'planning of the Horizon 2026 electricity transmission network' (point iii of the evidence provided) includes explicit references to the coordination between electricity planning and spatial planning approved for offshore wind in Spain.

This is also in line with the measure description, that **th**[is] **measure shall implement the key regulatory measures identified in the road map to promote offshore wind farms, boost research and development and support the deployment of floating technologies.**

[…] and updating of the regulatory framework.

This action is linked to key regulatory measure 3.4. of the Roadmap for offshore wind and other marine energy.

The entry into force of the Royal Decree 962/2024 (point iv of the evidence provided) took place on 26 September 2024, the day after its publication in the Official Journal (Boletín Oficial del Estado). This Royal Decree updated the relevant regulatory framework for the production of electricity from renewable sources in offshore installations. Its explanatory memorandum (recital III) explicitly states its compliance with the measure 3.4 of the Roadmap. This Royal Decree updates and replaces the administrative procedure previously in force, governed by the Royal Decree 1028/2007 of 20 July 2015 establishing the administrative procedure for processing of applications for authorisation of offshore power installations. The new procedure included in the Royal Decree 962/2024 requires offshore renewable installations to participate in a competitive tendering procedure. The areas where these procedures will be convened will be the areas of high potential for the development of offshore wind as defined in approved maritime spatial plans. Under this procedure, the economic energy regime will be granted simultaneously. Article 7 provides that projects awarded the competitive tendering procedure are to be granted the reservation of access capacity at a specific hub of the electricity transmission network.

Finally, article 29 of Royal Decree Law 8/2023 (point v of the evidence provided) updates the duration of access and connection permits for offshore wind projects, with greater complexity and longer lead times than land-based wind farms, to a maximum of 9 years.

This is also in line with the measure description, that **th**[is] **measure shall implement the key regulatory measures identified in the road map to promote offshore wind farms, boost research and development and support the deployment of floating technologies.**

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C7]-R[R4]-M[114], Completion of measures identified in the roadmap on biogas

Related Measure: ES-C[7]-R[R4], Framework for innovation and technological development in renewable energy

Qualitative indicator: Publication on webpage

Time: Q2 2023

1. Context:

The objective of this reform is to strengthen the regulatory framework for innovation and technological development of a number of renewable energy sources.

Milestone 114 requires the completion of the key measures identified in the roadmap on biogas, including the establishment of a guarantees of origin scheme for renewable gases.

Milestone 114 is the final milestone for this reform. The two previous milestones regarded the publication of the roadmap for offshore wind and marine energy (M112) and the entry into force of the key regulatory measures identified in the roadmap for offshore wind and other marine energy (M113).

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Copy of the roadmap for biogas, published in March 2022;

iii. Royal Decree 376/2022 that regulates the sustainability criteria and greenhouse gas emissions saving criteria for biofuels, bioliquids and biomass, as well as the system of guarantees of origin for renewable gases. It was published on 18 May 2022 in the national Official Journal *(Boletín Oficial del Estado*) No. 118 (Reference: BOE-A-2022-8121) and entered into force on 19 May 2022 (hereinafter referred to as 'Royal Decree 376/2022');

iv. Ministerial Order TED/1026/2022 adopting the management procedure for the system of guarantees of origin for gases produced from renewable energy sources. It was published on the national Official Journal *(Boletín Oficial del Estado*) on 31 October 2022, No. 261 (Reference: BOE-A-2022-17721) and entered into force on 1 November 2022 (hereinafter referred to as 'Ministerial Order TED/1026/2022');

v. Link to the website of the system of guarantees of origins for gases produced from renewable energy sources, https://www.gdogas.es/es/public-portal/home

vi. Link to the tool to compute the contribution of biogas to decarbonisation (BIOGEMIS calculator), https://calculadorabiogemis.idae.es/auth/login;

vii. Copy of the manual on the tool and databases for the BIOGEMIS calculator, published on 25 April 2024 on the IDAE website;

viii. Copy of the manual on calculation methodology for the BIOGEMIS calculator, published on 25 April 2024 on the IDAE website;

ix. Public information note from IDAE of 11 December 2023, published on IDAE's website, calling for interesting parties to apply for biogas feasibility studies for thermal and/or electric use, with relevant guidance and model for application;

x. Public information note from IDAE of 15 April 2024, published on IDAE's website, calling for interesting parties to apply for biogas feasibility studies for transport use, with relevant guidance and model for application.

xi. Link to the website of IDAE on the support programmes for biogas feasibility studies, https://www.idae.es/ayudas-y-financiacion/programa-de-estudios-de-prefactibilidad-de-proyectos-de-biogas-para-usos-0/programa-de-estudios-de-prefactibilidad-de-proyectos-de-biogas-para-usos

3. Analysis:

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

i. In line with the description of the measure, **the second element of this measure is the publication of a roadmap for biogas**

The roadmap for biogas (hereinafter referred to as 'the Roadmap') was published in March 2022 on the website of the Ministry for the Ecological Transition and the Demographic Challenge (point ii of the evidence provided, p.2).

- **...which shall analyse the appropriate regulatory and sectoral tools to promote biogas…**

Section 4 of the roadmap (point ii of the evidence provided, p. 45 et seq.) analyses the various 'action lines', including those relating to regulatory and sectoral instruments.

The roadmap analyses the regulatory instruments (section 4.1, p. 46 et seq.), and lists them in the form of eight actions. It includes, for instance, the administrative simplification and the removal of regulatory barriers such as speeding up authorisation procedures for plants and other associated infrastructures and processes (p. 46) or regulatory actions in the context of the circular economy such as the assessment of the requirements necessary to ensure the correct treatment of sewage sludge and its proper use in the agricultural sector to promote anaerobic digestion (p. 47).

The roadmap analyses the sectoral instruments (section 4.2, p. 48 et seq.), and list them in the form of 18 actions. It includes for instance setting annual targets for the penetration of biogas/biomethane in the sale

or consumption of natural gas (p. 48) or encouraging the carrying out of cost-benefit analyses for the development of biogas projects on livestock farms (p. 50).

- **… with a focus on the efficient use of this energy source (such as in agro-industrial applications, and for heavy-duty vehicles where electrification is not yet an alternative).**

The roadmap supports the most efficient use of biogas. It promotes the use in nearby sites (p. 10: '*Priority should be given to the direct use of biogas in locations close to its production, favouring the emergence of synergies with related industries, as well as its use in transport, where electrification is not the most economically and environmentally efficient option*').

It focuses among others on agro-industrial applications, for instance through action 16 '*Encouraging the carrying out of cost-benefit analyses for the development of biogas projects on livestock farms*' (p. 50), action 20: '*Promote the use of biogas for cogeneration*' (which encourages the installation of small cogeneration plants for self-consumption on farms, p. 50), action 33: '*Promoting the creation of local energy communities in the agricultural sector*' (p. 54) or action 35: '*Set up working groups with the biogas sector and the waste and livestock associations*' (p. 54).

It also focuses among others on heavy-duty vehicles, for instance through action 21: '*Prioritise the use of biogas in heavy transport'* (p. 51), action 43 '*Promote studies of the feasibility of projects to be carried out in waste plants and waste water treatment plants geared towards the application of biomethane in vehicles*' or action 44: '*Promote demonstration projects with local authorities for direct biomethane in transport, where electrification is neither economically nor technically possible*' (p. 56).

ii. **Completion of the key measures identified in the roadmap on biogas,**

The Roadmap (p. 23) identifies four key measures:

• Measure 1. Implement a system of guarantees of origin to verify the amount of energy from renewable gases from a supplier's or energy supply structure supplied to consumers.

• Measure 10. Develop a greenhouse gas emissions reduction calculator.

• Measure 41. Facilitate studies on the feasibility of projects to be carried out in industry biodegradable waste generators, geared towards the thermal application of biogas.

• Measure 43. Promote studies of the feasibility of projects to be carried out in waste plants and wastewater treatment plants geared towards the application of biomethane in vehicles.

- **…to improve the competitiveness of biogas**

Guarantees of origin are one of the main tools for the development of renewable gases, as they enable final consumers to demonstrate the share of renewable energy in an energy supplier's mix, and this renewable share is perceived by certain consumers as an added value, hence providing a new source of income for biogas projects.

The calculator also promotes greater competitiveness of biogas projects, as biogas calculations may pose a challenge for many operators. This tool allows these operators to assess rapidly whether they meet the requirements for greenhouse gas reductions.

- **…and to foster the investments in biogas production…**

The Roadmap states that its objective is to foster biogas production and sets a minimum production target (p. 11).

In particular, a guarantee of origin is an electronic certificate that certifies the renewable nature of the energy produced and provides detailed information about its production process. Its function is to demonstrate to the final consumer that a certain share or amount of energy has been obtained from renewable sources. Guarantees of origin are therefore one of the main tools for the development of renewable gases, as they enable final consumers to demonstrate the share of renewable energy in an energy supplier's mix, and this renewable share is perceived by certain consumers as an added value, hence providing a new source of income for biogas projects.

- **…ensuring a faster decarbonisation in sectors such as industry and transport.**

P.10 of the Roadmap states that biogas can be used directly in industry and transport to reduce the use of natural gas, contributing to the decarbonisation of these sectors.

- **…including the establishment of a guarantees of origin scheme for renewable gases…**

Furthermore, in line with the description of the measure, **this reform shall address the implementation of key activities from the biogas roadmap, including: a) the establishment of a guarantees of origin scheme for renewable gases**

Title II of Royal Decree 376/2022 (point iii of the evidence provided) provides for the establishment of a system of guarantees of origin applicable to renewable gases. Pursuant to its Tenth Final Provision, Royal Decree 376/2022 entered into force on 19 May 2022.

In particular, Article 19(1) creates a system of guarantees of origin applicable to renewable gases, Article 19(4) lays down the definition of those guarantees and their content (energy source, technological process…), Article 19(3) lays down the conditions for issuing the guarantees of origin (validity period of 12 months…), Article 19(6) introduces the authorisation for the designation of an entity responsible for their management and the procedure for operating that system.

Ministerial Order TED/1026/2022 (point iv of the evidence provided) defines the procedure for management of the system of guarantees of origin for gas from renewable sources. It entered into force, pursuant to its Second Additional Provision, on 1 November 2022.

The documents necessary for the operational establishment of the system (detailed procedures, manuals, information guides, forms and examples, points vi and vii of the evidence provided) and to access the system management platform is published by the responsible entity (Enagás) on the website of the system of guarantees of origin for renewable gases (point v of the evidence provided) making the system fully

operational. Guarantees of origin have been issued and redeemed since March 2023. The guarantees of origin issued are published on the website (point v of the evidence provided).

Furthermore, in line with the description of the measure, **this reform shall address the implementation of key activities from the biogas roadmap, including [...] b) the development of a tool to compute the contribution of biogas to decarbonisation and...**

The BIOGEMIS calculator is available in a test version on the website of the Spanish Government's Institute for the Diversification and Saving of Energy (IDAE) (point vi of the evidence provided).

IDAE published on its website the manuals on the use of the tool and the calculation methodology (points vii and viii of the evidence provided).

The Commission services conducted an on-the-spot check on 27 February 2025 to verify that this online tool enables GHG emissions to be calculated in a simple way by the actors in the biogas sector according to their specific process (feedstock, processing systems used, purification systems used). This check was completed successfully, confirming that a tool to compute the contribution of biogas to decarbonisation has been developed and it is accessible through a website (point vi of the evidence provided).

- **c) pre-feasibility studies to promote the implementation of biogas production facilities**

IDAE has opened two support programmes (points ix and x of the evidence provided) for pre-feasibility studies of biogas projects, implementing two key measures of the Roadmap:

- measure 41 (Facilitate studies on the feasibility of projects to be carried out in industry biodegradable waste generators, geared towards the thermal application of biogas) and

- measure 43 (Promote studies of the feasibility of projects to be carried out in waste plants and waste water treatment plants geared towards the application of biomethane in vehicles).

The programme of studies on the pre-feasibility of biogas projects for thermal or electricity uses supports the conduct of pre-feasibility studies in industries generating biodegradable waste, providing a basis for making decisions on whether such projects should be undertaken (point ix, page 2).

The programme of studies on the pre-feasibility of biomethane projects for transport use is supporting the carry out of studies on technical and economic analysis of biomethane production projects and their use for heavy transport (point x, p.2).

The two support programmes are published on the website of IDAE (point xi of the evidence provided).

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C7]-I[I1]-M[116], New projects, technologies or installations of marine renewable energy

Related Measure: ES-C[7]-I[I1], Development of innovative renewable energies, integrated into buildings and production processes

Qualitative indicator: Award decision / investment authority decision

Time: Q2 2023

1. Context

The objective of this investment is to foster the development of innovative renewable energies, and those to be integrated into buildings and into production processes. It aims to support renewable self-consumption and technologies that are not yet fully competitive. At least 3 800 MW of innovative or value-added renewable generation are to be installed.

Milestone 116 requires the award decision to support at least six development projects, technologies or installations of marine renewable energy infrastructure.

Milestone 116 is the second milestone of this investment and will be followed by a final target (T117), which relates to the installation of an additional production capacity of 3.8 GW from renewable energy.

2. Evidence provided

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Order TED/1204/2022 of 2 December establishing the programme for granting investment aid for pilot projects and testing platforms and port infrastructure for marine renewables ('RENMARINAS DEMOS' support programme). It was published on 6 December 2022 in the national Official Journal No. 292 (Reference: BOE-A-2022-20640) and entered into force on 7 December 2022 (hereinafter referred to as 'Order TED/1204/2022');

iii. First call for proposal for the 'RENMARINAS DEMOS Programme': resolution of 21 December 2022 of the Board of Directors of the Institute for Energy Diversification and Saving (IDAE) (hereinafter referred to as 'call for proposal');

iv. Publication in the Official Journal of the announcement for the first call for proposal for sub-programme 1 (research projects): 28 December 2022, No. 311;

v. Publication in the Official Journal of the announcement for the first call for proposal sub-progammes 2, 3 and 4 (commercial projects): 28 December 2022, No. 311;

vi. Final Resolution of the Director-General for Energy Policy and Mines and Vice-President of the Board of Directors of IDAE, dated 23 October 2023, granting support corresponding to the first call for the

'RENMARINAS DEMOS' programme (hereinafter 'Final Resolution'). It includes in Annex II the full list of projects to which support was granted;

vii. Decision by IDAE of 24 July 2024 following the renunciation of the aid by one selected beneficiary.

3. Analysis

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

At least 6 developments awarded

Pursuant to its Article 29(3), the Order TED/1204/2022 (point ii of the evidence provided, third final disposition, p. 53), establishing the 'RENMARINAS DEMOS' support programme, entered into force the day after its publication on the national Official Journal. It was published on 6 December 2022 and entered into force on 7 December 2022.

Pursuant to Article 19 of the Order TED/1204/2022, 18 developments were awarded to the beneficiary entities with the publication of the final resolution. In particular, Article 19(2) states that the decision must contain the applicant entity or list of applicant entities to which the grant is awarded, including the actions to be carried out, the amount of eligible costs and the amount of the grant.

The final resolution of 23 October 2023 (point vi of the evidence provided) awards support to 18 projects under the 'RENMARINAS DEMOS' programme.

Article 2 (p. 5) states that the Management Board of IDAE decided to grant aid to the projects listed in Annex II of the final resolution. While the list in Annex includes 21 projects, Article 5 explains that three listed projects are part of a larger programme and hence are not counted for the fulfilment of milestone 116.

As shown by the decision by IDAE of 24 July 2024 (point vii of the evidence provided), one beneficiary having renounced the grant support, the final number of supported projects is therefore 17.

…promoting new projects, technologies or installations of marine renewable energy infrastructure

Article 8 of the Order TED/1204/2022 (point ii of the evidence provided) defines the eligible projects along four sub-programmes:

- Sub-programme 1: testing platforms for offshore renewables by research organisations.

- Sub-programme 2: other testing platforms for offshore renewables.

- Sub-programme 3: marine renewable technology demonstrators.

- Sub-programme 4: joint projects of offshore renewable testing platforms and technological demonstrators.

Article 3 of the call for proposal (point iii of the evidence provided) determines that the scope of the call 'is limited to the activities of development, adaptation and reinforcement of testing infrastructures and platforms for offshore renewables and the development and installation of technological demonstrators offshore renewables.'

The projects listed in Annex II of the final resolution of 23 October 2023 (point vi of the evidence provided, p. 16), promote new projects, technologies or installations of marine renewable energy infrastructure as follows:

- PLEMCAT: the project consists in the development of a R&D&I platform for floating wind and other offshore renewable technologies;

- OLAGARRO: the project aims at the improvement of the simultaneous testing capabilities of marine renewable demonstrators;

- AGUAMARINA: the project is a demonstrator of energy converter of waves;

- PRIMAVERA DEMOS: the project is a 11 MW floating wind platform demonstrator;

- PV-bos 1MW: the project is a demonstrator of floating solar panels;

- PlugHarshLab: the project is the installation of a dynamic subsea power cable.

The projects awarded promote testing infrastructures and platforms and technological demonstrators for offshore renewables, hence promoting new projects, technologies or installations of marine renewable energy infrastructure.

The 6 developments should contribute to the implementation of marine renewable energy projects in Spain.

As described above, the 17 developments awarded are 'testing infrastructures and platforms' and 'technological demonstrators' for offshore renewables, hence contributing to the implementation of marine renewable energy projects in Spain.

The list of supported projects in Annex II of the final resolution (point vi of the evidence provided) shows that all projects concern renewable energy marine projects.

Furthermore, in line with the description of the measure**, the investment shall support […] technologies that are not yet fully competitive, including […] marine renewables**.

The projects supported are 'testing infrastructures and platforms' and 'technological demonstrators' for offshore renewables.

Article 2 of Order TED/1204/2022 (point ii of the evidence provided) defines 'testing infrastructures and platforms' as infrastructures for testing in real operating conditions prototypes, innovative devices and pre-commercial projects and 'technological demonstrators' as experimental developments with the testing of innovative devices.

Consequently, the investment supports technologies that are not yet fully competitive in the area of marine renewables.

Furthermore, in line with the description of the measure, **support will take the form of investment aid, to be awarded via tenders ensuring a cost-efficient outcome, or direct equity support to renewable projects.**

The Council Implementing Decision state that the support 'will' take the form of aid or equity. The contextual interpretation of this requirement is that support must takes one form or the other. Article 5(3) of the Order TED/1204/2022 (point ii of the evidence provided) indicates that the aid provided takes the form of grants. The support is awarded after a competitive tender, as indicated in Article 1 of Order TED/1204/2022 and implemented through the call for proposal (point iii of the evidence provided), published in the Official Journal (points iv and v of the evidence provided). The support take the form of aid, which is one of the two possibilities, and is therefore in line with the contextual interpretation. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

Article 10 of Order TED/1204/2022 defines the intensity of the aid and the criteria for its determination. It sets out a maximum intensity and a maximum amount of aid and indicates in point 11 that projects get a higher score when applying for aid below the maximum aid calculated for the project per project, hence contributing to ensure cost-efficiency.

Furthermore, in line with the description of the measure,**the investment would also support reskilling and upskilling in the area of renewable generation.**

Annex I to Order TED/1204/2022 (point ii of the evidence provided) defines the assessment criteria. It includes a criterion of 'Impact on training, upskilling and reskilling" within the criterion "3. Positive Externalities".

Annex V to the call for proposal (point iii of the evidence provided) assigns accordingly a specific score to applications that have a positive impact in training, upskilling and reskilling within the area of action of the aid programme, therefore, supporting reskilling and upskilling for renewable generation.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C7]-I[I2]-M[118], Clean Energy and Smart Projects for Islands Office

Related Measure: ES-C[7]-I[I2], Sustainable energy in islands

Qualitative indicator: Publication on webpage

Time: Q2 2023

1. Context

The objective of this investment is to support sustainable energy in the Spanish islands (the Canary and Balearic islands) in particular through the support for projects for the penetration and integration of renewable energy. Specific investments to be supported must include renewable electricity sources, storage solutions, and smart projects. At least 180 MW of renewable generation must be installed under this investment, as well as at least 600 actions, projects or programmes supported.

Milestone 118 requires the creation of the Office for Clean Energy and Smart Projects for Islands, a dedicated department within the Institute for Energy Diversification and Saving (IDAE) to coordinate and monitor RRP energy investments in the Spanish islands.

Milestone 118 is the first milestone for this investment. Subsequent targets consists of the completion of 600 projects to support the energy transition on the islands (T119) and the installation of 180 MW of additional renewable production capacity (T120).

2. Evidence provided

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Certificate by the general secretary of Institute for Energy Diversification and Saving (IDAE), signed by the general secretary on 1 April 2022 and the State Secretary for Energy on 8 April 2022, certifying the creation the Office for Clean Energy and Smart Projects for Islands;

iii. Link to webpage of the Office: https://www.idae.es/oficina-tecnica-de-energia-limpia-y-proyectos-inteligentes-en-las-islas;

iv. Investment plan for the energy transition in the Balearic islands, published on 14 March 2022;

v. Strategy for sustainable energy in the Canary Islands published on 14 February 2022;

vi. Link to strategy to support the energy transition in the islands on the website of IDAE: https://www.idae.es/index.php/ayudas-y-financiacion/para-la-transicion-energetica-en-las-islas-prtr

vii. Link to the National Energy and Climate Plan for Spain, update 2023-2030, September 2024:

https://www.miteco.gob.es/content/dam/miteco/es/energia/files-1/pniec-2023-2030/PNIEC_2024_240924.pdf

viii. Royal Decree 18/2014 of 17 January approving the Statute of the Institute for Energy Diversification and Saving (IDAE), published in the Official Journal on 28 January 2014. Following its final disposition, it entered into force on 29 January 2014.

3. Analysis

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

Creation of the Clean Energy and Smart Projects for Islands Office…

As certified by the general secretary of Institute for Energy Diversification and Saving (hereinafter referred to as "IDAE") (point ii) of the evidence provided), the 'Office for Clean Energy and Smart Projects for Islands' was established as a dedicated technical office within IDAE by decision of the Board of Directors of IDAE on 1 April 2022 at its session No. 326.

According to the Article 1 of the Royal Decree 18/2014 of 17 January (point viii) of the evidence provided), IDAE has a distinct public legal personality as well as management autonomy for the fulfillment of its purposes. Its Article 7 indicates that the Board of Directors shall be responsible for the organisation of the entity (a), shall authorize the acts and contracts that are necessary for the realisation of the purposes of the entity (e) and shall approve the internal organisation of the entity (i).

…with the objective of managing the support programmes under the Recovery and Resilience Facility.

As indicated in the certificate by IDAE (point ii of the evidence provided), the Board of Directors of IDAE entrusted to the 'Office for Clean Energy and Smart Projects for Islands' the function, amongst others, of managing the RRP investments ('Launching, developing, creating, effectively monitoring and implementing projects in line with the achievement of the milestones and targets proposed in the RRP'). The dedicated team in IDAE is implementing in particular the investments that will be monitored with the subsequent targets (119 and 120).

Publication on a webpage

This technical office created has a webpage on the IDAE website (point iii) of the evidence provided).

The office shall coordinate the dynamisation and development of the energy transition in the islands.

As indicated in the certificate by IDAE (point ii of the evidence provided), the Board of Directors of IDAE entrusted to the 'Office for Clean Energy and Smart Projects for Islands' the function, amongst others, of coordinating of IDAE of local offices, associations, employers' associations and other groups (point a of the certificate) and supporting energy offices on the islands for the development and implementation of the "Agendas for the energy transition on islands" (point g of the certificate).

Furthermore, in line with the description of the measure, this investment shall support sustainable energy in the Spanish islands (the Canary and Balearic islands)…

As indicated in the certificate by IDAE (point ii of the evidence provided), the Board of Directors of IDAE entrusted to the 'Office for Clean Energy and Smart Projects for Islands' the function, amongst others, of supporting sustainable energy in the Spanish islands in particular in the forms of support programmes for new renewable installations and integration of renewables (point h of the certificate).

…as part of a broader strategy to support the energy transition in the islands,…

The Spanish islands (the Canary and Balearic islands) adopted broader strategies as the framework for the implementation of the RRP energy investments (points iv and v of the evidence provided).

…in particular through the support for projects for the penetration and integration of renewable energy into islands and non-peninsular systems.

As shown on the website of IDAE (point vi of the evidence provided), the first calls for support for installations generating electricity from renewable sources in the islands have been published in 2023, hence supporting projects for the penetration and integration of renewable energy into islands.

This is in line with Spain's National Energy and Climate Plan.

Measure 1.22 of the National energy and climate plan for Spain (point vii of the evidence provided) 'Unique projects and strategy for sustainable energy in the islands' mentions among its mechanisms for action (section c) the creation and management of an Office for Clean Energy and Smart Projects for Islands" (p. 192).

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C9]-I[I1]-T[131], Scheme to support renewable hydrogen: Establishment of scheme

Related Measure: C[9]-I[I1] - Scheme to support renewable hydrogen, a country project

Qualitative Indicator: Entry into force of the relevant legal instrument(s)

Time: Q2 2023

1. Context:

The investment aims to create a subsidy support scheme for the production and uptake of renewable hydrogen, managed by the Institute for the Diversification and Saving of Energy ("Instituto de Diversificación y Ahorro de la Energía", IDAE). The scheme will include support to SMEs, to technological developments or prototypes, to the improvement of test facilities or implementation of new manufacturing lines, to renewable hydrogen clusters, and to pioneering projects and as part of a hydrogen IPCEI.

Milestone 131 concerns the entry into force of the legal instruments establishing the support scheme amounting to the budget of the investment, in line with the requirements in the measure description.

Milestone 131 is the first step of the implementation of investment C9.I1, and is followed by target 132, related to the entry into force of legal financing agreements or publication of final award resolution, within this preliminary assessment. It will be followed by targets 133, 134, related to the publication of final award resolutions, and milestone 135, related to the transfer of funds to IDAE. The investment has a final expected date for implementation in August 2026.

Evidence Provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii. Ministerial Order TED/1444/2021, published on 24 December 2021 and entered into force on 25 December 2021, which approves the regulatory framework for the concession of state aid on the innovation and knowledge value chain of renewable hydrogen, "H2 value chain" programme.
iii. Four Resolutions of 18 February 2022 of the President of IDAE, formalising the first four calls of the four programmes within the "H2 value chain" programme
iv. Resolution of 20 July 2023 of the President of IDAE, formalising the second call of the Programme 4 within the "H2 value chain" programme
v. Ministerial Order TED/1445/2021, published on 24 December 2021 and entered into force on 25 December 2021, which approves the regulatory framework for the concession of state aid on the singular and pioneer projects of renewable hydrogen, "H2 Pioneers" programme.
vi. Resolution of 16 February 2022 of the President of IDAE, formalising the first call of the "H2 Pioneers" programme
vii. Resolution of 18 May 2022 of the President of IDAE, formalising the second call of the "H2 Pioneers" programme

viii. Royal Decree 4/2023, published on 11 January 2023, which approves the regulatory framework for the concession of aid of IPCEI “Hy2Tech”
ix. Royal Decree 663/2024, published on 10 July 2024, which approves the regulatory framework for the concession of aid of IPCEI “Hy2Use”
x. Royal Decree 47/2025, published on 29 January 2025, which approves the regulatory framework for the concession of aid of IPCEI “Hy2Move”
xi. European Commission decision C(2022) 5158, of 15 July 2022, establishing the IPCEI “Hy2Tech”’s State aid SA.64624 (2022/N)
xii. Seven minutes (“Actas”) of award of calls from Programmes 1, 2, 3 and 4(1) and 4(2) of “H2 Value Chain” Programme, and of the two calls of the ”H2 Pioneers” Programme
xiii. European Commission decision C(2022) 6847 final, of 21 September 2022, establishing the IPCEI “Hy2Use”’s State aid SA.64623 (2022/N).
xiv. European Commission decision C(2024) 3631 final, of 28 May 2024, establishing the IPCEI “Hy2Move”’s State aid SA.104435.
xv. Resolutions by the Secretary of State of Energy of 20 May 2025 on notification requirements for climate investments

Analysis:

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

Entry into force of the legal instrument(s) establishing the support scheme amounting the budget of the investment in line with the requirements specified in the description of the measure.

The support scheme is established in five legal instruments: i) two ministerial orders and ii) three royal decrees:

i) the Ministerial Order TED/1444/2021, published on 24 December 2021 (item ii of the evidence provided) defines the regulatory basis for the granting of public aid in the context of the innovation and knowledge value chain of renewable hydrogen (Programme H2 Value Chain). The order entered into force on 25 December 2021 in application of its third final disposition, which sets its entry into force on the day following its publication in the official journal. This ministerial order was amended by Royal Decree 47/2025 (item ix of the evidence provided, described further below).This ministerial order includes 4 incentives programmes. For each of them, a resolution of 18 February 2022 signed by the president of IDAE was provided (item iii of the evidence provided). The resolutions from IDAE launch the calls for granting of aid, one for each of the programmes. One additional resolution was taken on 20 July 2023, launching the second call for granting of aid for the Programme 4 (item iv of the evidence provided):

- Programme 1: Capacity, Technological advancements and creation of experimentation of industrial lines;
- Programme 2: Design, demonstration and validation of hydrogen-powered mobility;
- Programme 3: Large demonstrators of electrolysis – innovative projects of renewable energy production;
- Programme 4: Fundamental research challenges, innovative pilots and training in key enabling technologies within the value chain.

The Ministerial Order TED/1445/2021, published on 24 December 2021 (item v of the evidence provided) defines the regulatory basis for the granting of public aid in the context of singular and pioneer projects of renewable hydrogen (Programme H2 Pioneers). The order entered into force on 25 December 2021, according to its third final disposition, which sets the entry into force on the day following its publication in the official journal. This ministerial order was amended by Royal Decree 47/2025.

In application of the Ministerial Order TED/1445/2021, two additional resolutions signed by the president of IDAE were provided, items vi and vii of the evidence list, launching the two calls for the granting of aid on 16 February 2022 and on 18 May 2023.

ii) The Royal Decree 4/2023, published on 11 January 2023 (item viii of the evidence provided), defines the regulatory basis for the granting of public aid in the context of the Spanish projects of the IPCEI Hy2Tech. The Royal Decree entered into force on 12 January 2023, according to its third final disposition, which sets its entry into force on the day following its publication in the official journal. This Royal Decree was amended by Royal-Decree 47/2025.

The Royal Decree 663/2024, published on 10 July 2024, item ix of the evidence provided, defines the regulatory basis for the granting of public aid in the context of the Spanish projects of the IPCEI Hy2Use. The Royal Decree entered into force on 11 July 2024, according to its fifth final disposition, which sets its entry into force on the day following its publication in the official journal. This Royal Decree was amended by Royal-Decree 47/2025.

The Royal Decree 47/2025, published on 29 January 2025, item ix of the evidence provided, defines the regulatory basis for the granting of public aid in the context of the Spanish projects of the IPCEI Hy2Move. The royal decree entered into force on 30 January 2025, according to its eighth final disposition, which sets its entry into force on the day following its publication in the official journal.

The budgeted amount and the requirements for the subsidy scheme are assessed below.

Furthermore, in line with the description of the measure, **this measure shall consist of a public investment in a support scheme covering subsidies to support the production and uptake of renewable hydrogen. The scheme shall operate by providing financial incentives via the award of grants.**

Articles 1(1) and 3(3) of Ministerial Order TED/1444/2021 stipulate, respectively, that the objective of the order is to provide aid to the renewable hydrogen industrial value chain, and that the aid provided will take the form of grants.

Articles 1(1) and 3(3) of Ministerial Order TED/1445/2021 stipulate, respectively, that the objective of the order is to provide aid to pioneer and singular renewable hydrogen projects, and that the aid provided will take the form of grants.

Article 1(1) of Royal Decree 4/2023 stipulates that the objective of the royal decree is to provide grants in the context of the IPCEI Hy2Tech to incentivise research and innovation and first industrial use in the value chain of hydrogen technology.

Article 1(1) of Royal Decree 663/2024 stipulates that the objective of the royal decree is to provide grants in the context of the IPCEI Hy2Use to incentivise large hydrogen installations.

Article 1(1) of Royal Decree 47/2025 stipulates that the objective of the royal decree is to provide grants in the context of the IPCEI Hy2Move to incentivise research, innovation and first industrial usage of hydrogen in mobility and transport.

The support scheme established by the five legal documents above indicated supports the production and uptake of renewable hydrogen, as further detailed below in the list of activities eligible for support.

Furthermore, in line with the description of the measure, **the scheme shall be managed by 'Instituto de Diversificación y Ahorro de la Energía' (IDAE) as the implementing partner.**

Recitals II of the Ministerial Orders TED/1444/2021 and TED/1445/2021 outline the responsibilities of IDAE in awarding and managing the aid.

Articles 3(2) of Royal Decrees 4/2023, 663/2024 and 47/2025 determine that IDAE will be responsible for managing the scheme and awarding the grants.

Furthermore, in line with the description of the measure, **in order to implement the investment into the scheme, Spain shall adopt one or several legal instruments establishing the scheme, that shall include the following elements:**

1. **The list of activities eligible for support which shall include all of the following, among others:**

- **Support to, among others, SMEs to strengthen and reinforce the existing Spanish value chain by enhancing one or several of the following activities: production capabilities, skills, competitiveness, knowledge and technology transfer, and/or international dimension;**

Support to SMEs was incentivised in the two ministerial orders cited above. Article 5(2a) of each of the ministerial orders provides that companies can benefit from aid, including micro, small, medium or large companies. Their Article 5(2b) provides that consortia are eligible if they include at least one SME, providing the possibility of additional scoring for consortia with a higher number of SMEs, further outlined in Annex III of each ministerial order. According to Annex I of Ministerial Order TED/1444/2021, support is granted to, among other activities, production centres related to the renewable hydrogen value chain (Program 1 (II)), fundamental research, industrial research and training in the value chain, with "special emphasis to cooperative projects in consortium format" to "establish strong bridges between the research and the practical applications", including skills and training (Program 4). Annex I of Ministerial Order TED/1445/2021 includes, in the supported activities, projects on production, distribution and usage of renewable hydrogen.

Moreover, the Hy2Tech programme established by Royal Decree 4/2023 includes support to one SME, as indicated in point 35(19) of the European Commission (EC) Decision C(2022) 5158 related to Hy2Tech (item xi of the evidence provided). The project supported will develop projects in the context of development of hydrogen generation systems, according to Figure 1 of page 10 and to point 35(19) of the EC decision aforementioned, thus developing production capabilities as required by the CID. IPCEI projects have as two of their main objectives the transfer of knowledge and the coordination of hydrogen-related activities across Europe, according to point 9 of this EC decision.

The Hy2Move programme established by Royal Decree 47/2025 includes support to one SME, as indicated in point 2.3.2(70) of the European Commission Decision C(2024) 3631 related to Hy2Move (item xiv of the evidence provided). The project supported aims to provide zero emission medium and heavy-duty vehicles

for green hydrogen applications, according to point 2.4(93) of the EC decision abovementioned, thus developing production capabilities as required by the CID. IPCEI projects have as two of their main objectives research and cooperation and international cooperation, according to point 2.1.1(10) of this EC decision.

- **Support technological developments or prototypes (such as electrolysers, compressors, storage vessels, fuel cells and H2-based transport systems), including "first of a kind" to support the validation of new upscaled designs or prototypes associated to either the production, distribution logistics or consumption of hydrogen;**

The "H2 value chain" determined by Ministerial Order TED/1444/2021 establishes in its article 1(2) the objective of contributing for technological advancements or prototypes in the renewable hydrogen value chain. It further includes in its Annex I, in Programme 2, the support to the "development, demonstration and validation of hydrogen-powered mobility" and actions incentivising technological innovation and the development of prototypes, including "deposits, fuel cells" and H2-based transport systems, with the objectives of validating the design of new transportation means and supporting innovative pilots of transportation that consume exclusively renewable hydrogen. Programme 3 includes support to projects demonstrating and validating large scale electrolysis for production of renewable hydrogen which are "first of their kind". Programme 4 includes support to fundamental and industrial research projects, as well as innovative pilots related to the renewable hydrogen value chain, including generation, storage, transportation and distribution, including on electrolysers and new storage vessels.

- **Support interventions targeting the improvement of test facilities or implementing new manufacturing lines of key enabling technologies or systems within the hydrogen supply chain, such as electrolysers or fuel cells. These shall either: i) improve R&D&I test facilities or laboratories and/or related equipment; or ii) improve facilities and/or procurement of new equipment (such as machine tools) to manufacture hydrogen and fuel cell related systems, equipment or components;**

The "H2 value chain" Programme set up by Ministerial Order TED/1444/2021 establishes in its article 1(2) the objective of contributing for the improvement of test facilities or new manufacturing lines. It further includes in its Annex I, in Programme 1, the support to the manufacturing centres of equipment or components related to the renewable hydrogen value chain, from production until usage, and to "R&D&I in test facilities, systems, vehicles and auxiliary equipment" related to renewable hydrogen.

- **Support to establish renewable hydrogen clusters integrating large-scale production, processing and consumption. The objective of at least one of these clusters is to integrate a high-capacity renewable hydrogen electrolyser that directly supplies hydrogen to local industrial consumers. The electrolyser shall be sourced with renewable electricity. The resulting generated hydrogen shall be integrated into industrial processes and supply chains of firms (including adaptation and shifting of business models away from fossil-based hydrogen consumption) to replace at least 5% of their annual fossil-based hydrogen consumption;**

Royal Decree 663/2024 determines in recital IV that the objectives of the IPCEI Hy2Use include the installation of large-scale electrolysers for renewable hydrogen production, in order to incentivise the consumption of renewable hydrogen. One of the typologies of aid (Technology Field 1) is targeted at production of renewable hydrogen inside or in the vicinity of important European industrial clusters.

Article 4 3) n) requires that all supported contribute to the objectives laid down in Annex II (2). This annex restates the requirements of the CID and notably that the hydrogen generated shall be integrated in industrial processes and supply chains of firms to replace at least 5% of their annual consumption of fossil-based hydrogen consumption, and that at least one of the clusters should integrate a renewable hydrogen electrolyser of high capacity for directly supplying local industrial consumers.

- **Support to the deployment of hydrogen across pioneering projects with a smaller size than the cluster. These shall introduce renewable hydrogen beyond a single industrial hub to isolated energy systems that permit integrating renewable hydrogen into fields such as transport. These interventions are expected to encompass the production, distribution and consumption of renewable hydrogen, furthering coverage across different sectors and parts of the Spanish territory;**

The "H2 Pioneers" programme set up by Ministerial Order TED/1445/2021 establishes in its article 1(2) the objective of contributing for the deployment of hydrogen in pioneering projects, including "integrated projects encompassing production, distribution and consumption of renewable hydrogen in locations different from the clusters'". Among its applications, the order includes in the same article the objective of fomenting technological knowledge and implementation of hydrogen infrastructures in the transport sector for cases where direct electrification is not currently viable and utilisation of hydrogen as an energetic vector. Article 2 determines that the application of the order spans the Spanish territory, supporting pioneer projects related to production, distribution and consumption of renewable hydrogen. Annex I further details that the projects supported should allow the introduction of renewable hydrogen in isolated industrial hubs.

- **Some of the firms supported through the measure may become part of a hydrogen IPCEI, together with firms from other Member States, relying on proper framework to collaborate within the Union to integrate national value chains to boost competitiveness.**

The three Royal Decrees 4/2023, 663/2024 and 47/2025 consist of aid regulated by the hydrogen IPCEI State aid decisions by the European Commission, respectively Hy2Tech, Hy2Use and Hy2Move. The three EC decisions (items xi, xiii and xiv of the evidence provided) involve firms from other Member States, as evidenced in articles 1(7) of the three decisions, and provide a framework for collaboration within the Union to integrate national value chains to boost competitiveness.

2. **Description of the decision-making process of the scheme: The evaluation of the applications and the selection of the beneficiaries to be included in final award decisions or investment decisions under the scheme shall be taken by an investment committee or technical evaluation committee and approved by a majority of votes from members who are independent from the government, meaning that they must be either staff employed by IDAE and/or other independent experts. Final award decisions or investment decisions under the scheme shall be limited to the approval (without modifications) or the exercise of a veto right on an award decision or investment decision proposed by the investment committee or relevant equivalent governing body. In the event that any of the applicants are participated by IDAE and the budget for that call is insufficient to cover all the applications received, the evaluation process shall be externally audited as envisaged in IDAE's "Plan de Mitigación de Potenciales Conflictos de Interés en Sociedades Participadas".**

Clause 16.3(2) of the Ministerial Order TED/1444/2021, as modified by the article 3 of first final disposition of the Royal Decree 47/2025, and clause 16.3(2) of the Ministerial Order TED/1445/2021, as modified by article 3 of the second final disposition of the Royal Decree 47/2025, determine that the technical evaluation committee must comprise a majority of employees of IDAE and/or independent experts. Clauses 16.3(1) of both ministerial orders, similarly amended, stipulate that the administration board may require clarifications but cannot request changes to the investments, determining that the body responsible for project evaluation is the technical evaluation committee. Compliance of this requirement in calls issued before the amendment and in the case of the IPCEI royal decrees is shown in the following paragraphs.

Furthermore, in line with the further specifications requirement in the OA, **for calls prior to 2025, this requirement would be met if decisions were all unanimous and with at least one person independent from the government.**

For all projects approved prior to 2025, Spain provided explanation and evidence that all awarding decisions by IDAE were decided in unanimity, including at least one member independent from the Spanish government, from IDAE. The evidence provided are the minutes ("Actas") of the evaluation committee of all programs, item xii of the evidence provided, which all refer that the decisions were unanimous, as stipulated in the last paragraph before "Agreements" in page 2 of each of the minutes, and all include at least one person independent from the government, either employed by IDAE or by the Centre for the Industrial Technological Development ("Centro para el Desarrollo Tecnológico Industrial", CDTI).

Furthermore, in line with the further specifications requirement in the OA, **for the instruments relating to the funding of projects under IPCEIs, the selection of beneficiaries is understood to be independent of government as it is the result of the matchmaking process inherent to IPCEI.**

The Spanish authorities also provided the three European Commission decisions related to the three IPCEIs, Hy2Use, Hy2Tech and Hy2Move, items xi, xiii and xiv of the evidence provided, including the projects selected, showing the selection of beneficiaries occurred in the context of the matchmaking process inherent to IPCEI.

3. **Requirement to comply with the 'Do no significant harm' (DNSH) principle under the Recovery and Resilience Facility as set out in the DNSH Technical Guidance (2021/C58/01). In the case of general support to corporates (including equity and venture capital), the legal instrument(s) shall exclude companies with a substantial focus[7] in the following sectors: (i) fossil fuel-based energy production and related activities[8]; (ii) energy-intensive and/or high**

[7] It is considered that a Final Beneficiary has a "substantial focus" on a sector or business activity if such sector or activity is identified as being an essential part of the business activity of the Final Beneficiary respectively in relation to the gross revenue, profit, or client base of the Final Beneficiary. The gross revenue generated from the restricted sector or activity shall, in any case, not exceed 50% of the gross revenue.

[8] Except for (a) assets and activities in power and/or heat generation, as well as related transmission and distribution infrastructure, using natural gas, that are compliant with the conditions set out in Annex III of the 'Do no significant harm' Technical Guidance (2021/C58/01); and (b) activities and assets under point (ii) for which the use of fossil fuels is temporary and technically unavoidable for the timely transition towards a fossil fuel free operation.

CO2-emitting industries[9]; (iii) production, rental, or sale of polluting vehicles[10]; (iv) waste collection, waste treatment and disposal[11], (v) processing of nuclear fuel, production of nuclear energy. Furthermore, the legal instrument(s) shall require compliance with the relevant EU and national environmental legislation of the final beneficiaries of the subsidy schemes.

Article 4(2) of the Ministerial Orders TED/1444/2021 and TED/1445/2021 require compliance with the previously cited regulation and the DNSH Technical Guidance (2021/C58/01). Annexes III, articles 1 of the respective ministerial orders determine that no aid will be provided to entities that do not comply with the DNSH principle, according to article 17 of the EU Regulation (UE) 2020/852.

Article 8.9, 8.13 and 8.11, respectively, of Royal Decrees 4/2023, 663/2024 and 47/2025 stipulate the obligation for beneficiaries to comply with the European Commission's DNSH technical guidance and to comply with the do no significant harm principle.

Furthermore, the subsidy scheme does not provide general support to corporates as such (but only support specific projects). Article 6.6.a) of ministerial Orders TED/1444/2021 and TED/1445/2021 determines as fundamental obligations that the "project is executed following the work plan or action and execution program established in the description memo of the corresponding project". Articles 1.1 of Royal Decrees 4/2023, 663/2024 and 47/2025 regulating the object and type of aid all refer to execution of "specified projects".

4. **The requirement that final beneficiaries of the scheme shall not receive support from other Union instruments to cover the same cost.**

Articles 3.2 of the Ministerial Orders TED/1444/2021 and TED/1445/2021 and articles 10.1 of Royal Decrees 663/2024 and 47/2025 determine that the beneficiaries cannot receive any public support to cover the same costs supported by these ministerial orders. Article 10 of the Royal Decree 4/2023 stipulates that the aid granted is incompatible with any other public support.

5. **The amount covered by the scheme and the requirement to reinvest any unused proceeds from the scheme in the activities as those listed above, including beyond 2026.**

Furthermore, in line with the measure description, **on the basis of the RRF investment, the support scheme aims at initially providing at least EUR 1 555 000 000 of financing.**The amounts regulated by the legal documents setting up the scheme are determined in Articles 9.1(2) of the Ministerial Orders TED/1444/2021 (EUR 250 million) and TED/1445/2021 (EUR 150 million), articles 11.1 of the Royal Decrees

[9] Including activities and assets under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks. Where the activity supported achieves projected greenhouse gas emissions that are not significantly lower than the relevant benchmarks, an explanation of the reasons why this is not possible shall be provided. Benchmarks 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.

[10] Polluting vehicles are defined as non-zero-emission vehicles.

[11] This exclusion does not apply to actions in plants exclusively dedicated to treating non-recyclable hazardous waste, and to existing plants, where the actions under this measure are for the purpose of increasing energy efficiency, capturing exhaust gases for storage or use or recovering materials from incineration ashes, provided such actions under this measure do not result in an increase of the plants' waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level.

4/2023 (EUR 74 million), 663/2024 (EUR 794 million) and 47/2025 (EUR 142.91 million). The clauses of the two ministerial orders allow for increased allocation based on demand, which has occurred with the launch of the second call for Programme 4 of the H2 Value Chain, with an additional allocation of EUR 66.6 million detailed in clause 6 (item iv of the evidence provided) and the launch of the second call of the H2 Pioneers programme, with an additional allocation of EUR 150 million detailed in clause 6 (item vii of the evidence provided). The total amount covered by the support scheme and the total financing aimed at being provided is of EUR 1 627.51 million, surpassing the minimum requirement of EUR 1 555 million of financing.

The requirement to reinvest unused proceeds are determined in: i) clause 9. of the Ministerial Order TED/1444/2021, as modified by the first final disposition of the Royal Decree 47/2025; ii) clause 9.4(2) of the Ministerial Order TED/1445/2021, as modified by the second final disposition of the Royal Decree 47/2025; iii) by clause 11.4(2) of the Royal Decree 4/2023, as modified by the third final disposition of the Royal Decree 47/2025; iv) by clause 11.6(2) of the Royal Decree 663/2024, as modified by the fourth final disposition of the Royal Decree 47/2025; and v) by clause 11.6 of Royal Decree 47/2025, all of which require the amounts not granted, including beyond 2026, to be reinvested in one of the activities listed within investment C9.I1 of the CID.

6. **Reporting requirements for climate investment for the subsidy scheme[12].**

Articles 19 of the Ministerial Orders TED/1444/2021 and TED/1445/2021 require that the final recipients report on result indicators. Article 14.4 of Royal Decree 4/2023 and Articles 15.4 of Royal Decree 664/2024 and Royal Decree 47/2025 require that the final recipients provide a technical memo including the compliance with results and indicators.

Spain did not include in the Royal Decrees and the Ministerial Orders setting up the scheme this reporting requirement. However, Spain published a Resolution by the Secretary of State on 20 May 2025 (item xv of the evidence provided) which includes in clause 3 the requirement for IDAE to present a biannual report on the implementation of each project/activity concerning measure C9.I1, including expenditure and an output indicator. Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, the inclusion of the reporting requirement in the binding Resolution sufficiently indicates that the reporting is a requirement for the implementing body. 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.

[12] The implementing partner shall also be required to provide to the Member State a semi-annual report on the implementation of each project/activity.

Number and name of the Milestone: ES-C[C9]-I[I1]-T[132], Scheme to support renewable hydrogen: Legal agreements signed with final beneficiaries or final award resolutions published (I)

Related Measure: ES-C[9]-I[I1], Scheme to support renewable hydrogen, a country project

BaseliBaseliBaseliGoal: 30% i**Time:** Q2-2023 i**1. Context:** iThe investment aims to create a subsidy support scheme for the production and uptake of renewable hydrogen, managed by the Institute for the Diversification and Saving of Energy ("Instituto de Diversificación y Ahorro de la Energía", IDAE). The scheme will include support to SMEs, to technological developments or prototypes, to the improvement of test facilities or implementation of new manufacturing lines, to renewable hydrogen clusters, and to pioneering projects and as part of a hydrogen IPCEI. iTarget 132 concerns the publishing of the final award resolutions (or entry into force of financing agreements with final beneficiaries) for at least 30% of the RRF investment into the support scheme (including indirect costs). iTarget 132 is the second step of the implementation of investment C9.I1 and it is preceded by milestone 131 (entry into force of the relevant legal instrument(s)) within this payment request. It will be followed by targets 133, 134, related to the publication of final award resolutions, and milestone 135, related to the transfer of funds to IDAE. The investment has a final expected date for implementation in August 2026. i**2. Evidence provided:** iSummary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled. iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of the Institute for Energy Diversification and Savings (IDAE) approving the final award of aid to the first call of the H2 Program Value Chain, Program 1, signed on 3 April 2023 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE approving the final award of aid to the first call of the H2 Program Value Chain, Program 2, signed on 3 April 2023 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE accepting the waiving of support in the context of H2 Program Value Chain, Program 2, signed on 12 November 2024 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE accepting the waiving of support in the context of H2 Program Value Chain, Program 2, signed on 23 May 2024 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE approving the final award of aid to the first call of the H2 Program Value Chain, Program 3, signed on 23 May 2023 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE approving the final award of aid to the first call of the H2 Program Value Chain, Program 4, signed on 17 July 2023 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE accepting the waiving of support in the context of H2 Program Value Chain, Program 4, signed on 23 May 2024 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE approving the final award of aid to the second call of the H2 Program Value Chain, Program 4, signed on 31 July 2024 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE approving the final award of aid to the first call of the H2 Pioneers, signed on 3 April 2023 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE accepting the waiving of support in the context of H2 Pioneers, signed on 13 May 2024 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE approving the final award of aid to the second call of the H2 Pioneers, signed on 21 December 2023 i2 Resolutions of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE approving the final award of aid in the context of the Important Projects of Common European Interest (IPCEI) program Hy2Tech, signed on 21 July 2023 iResolution of the Director

General of Energy Policy and Mines and Vice-president of the Board of IDAE approving the final award of aid in the context of the IPCEI program Hy2Tech, signed on 7 December 2023 iResolution of the Director General of Energy Policy and Mines and Vice-president of the Board of IDAE accepting the waiving of support in the context of H2 Program Value Chain, Program 2, signed on 29 January 2025 i**3. Analysis:** iThe justification and substantiating evidence provided by the Spanish authorities covers all constitutive elements of the target. i**IDAE has published the final award resolutions or entry into force of financing agreements with final beneficiaries, for at least 30% of the RRF investment into the support scheme (including indirect costs).** iThe RRF investment in the support scheme is of EUR 1,550,000,000.00, as indicated in the description of measure C9.I1 (Scheme to support renewable hydrogen, a country project), as well as in target 135.

As assessed in milestone 131, the support scheme consists of several ministerial orders and royal-decrees on the basis of which final award resolutions have been published:

(1) On the basis of the ministerial order TED/1444/2021 of 22 December 2021 and corresponding calls related to the hydrogen value chain, assessed in milestone 131, the following final award resolutions were published totalling EUR 225,117,314.35:

- item ii (of the evidence provided) consists of the final award resolution of projects totalling EUR 11 906 282.10 in the first call of Program 1. It was published on 5 April 2023.

- item iii (of the evidence provided) consists of the final award resolution of projects totalling EUR 37 517 110.32 in the first call of Program 2. Three waiving resolutions, items iv, v and xv of the evidence provided, respectively of EUR 3 891 525.40, 2 690 735.89 and 1 298 610.39, reduce the total amount awarded to EUR 29 636 238.64. The award resolution was published on 5 April 2023.

- Item vi (of the evidence provided) consists of the final award resolution of projects totalling EUR 100 000 000 in the first call of Program 3. It was published on 5 June 2023.

- Item vii (of the evidence provided) consists of the final award resolution of projects totalling EUR 40 000 000 in the first call of Program 4. One waiving resolution of EUR 615 566.06, item viii of the evidence provided, reduce the total amount awarded to EUR 39 384 433.90. The award resolution was published on 20 July 2023.

- Item ix (of the evidence provided) consists of the final award resolution of projects totalling EUR 44 190 359.71 in the second call of Program 4. It was published on 1 August 2024.

(2) On the basis of ministerial order TED/1445/2021 of 22 December 2021 and corresponding calls related to hydrogen pioneers, assessed in milestone 131, the following final award resolutions were published, totalling EUR 298 578 176.26:

- Item x (of the evidence provided) consists of the final award resolution of projects totalling EUR 150 000 000 in the first call. One waiving resolution of EUR 1 421 823.74, item xi of the evidence provided, reduce the total amount awarded to EUR 148 578 176.26. The award resolution was published on 5 April.

- Item xii (of the evidence provided) consists of the final award resolution of projects totalling EUR 150 000 000 in the second call. It was published on 22 December 2023.

On the basis of Royal-decree 4/2023 of 10 January 2023, and the Commission Decision C(2022) 5158 related to the Hy2Tech IPCEI, the following final award resolutions were published, totalling EUR 47 000 000:

- Items xiii and xiv (of the evidence provided) consist of the final award resolutions of projects totalling EUR 47 000 000. Two award resolutions were published on 24 July and one on 13 December 2023.

The total amount of the final award resolutions provided, deducted from the waiving resolutions provided, is of EUR 570 695 490.65, with corresponds to 36.8% of the RRF investment into the support scheme.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C10]-R[R1]-T[138], Just Transition protocols and Advisory Council

Related Measure: ES-C[10]-R[R1], Just transition protocols

Quantitative Indicator: Number

Baseline: 0

Target: 12

Time: Q2 2023

1. Context:

The objective of this reform is to set up a comprehensive Just Transition framework through the establishment of Just Transition Protocols, an Advisory Council and an Institute for the Just Transition. This measure implements the Spanish Just Transition Strategy, which aims to minimise the negative impact of the green transition.

Target 138 concerns the publication on the Just Transition website of 12 Just transition protocols, which include commitments on employment, environmental restoration and economic and social development. The target also requires the creation of an Advisory Council responsible for providing advice and assessing the impact of Just Transition policies.

Target 138 is the second and last target of the reform, and it follows the completion of target 137 related to the creation of the Institute for the Just Transition.

The reform has a final expected date of implementation in June 2023.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. The Puente Nuevo – Valle del Guadiato Just Transition Protocol.

iii. Link to the information published on the Just Transition Institute's website regarding the Puente Nuevo – Valle del Guadiato Just Transition Protocol.

Link: https://www.transicionjusta.gob.es/es-es/Paginas/CTJ-Puente-Nuevo-Valle-del-Guadiato-info.aspx

iv. The Carboneras Just Transition Protocol.

v. Link to the information published regarding the Carboneras Just Transition Protocol.

Link: https://www.transicionjusta.gob.es/es-es/Paginas/CTJ-Carboneras-.aspx

vi. The Los Barrios Just Transition Protocol.

vii. Link to the information published regarding the Los Barrios Just Transition Protocol.

Link: https://www.transicionjusta.gob.es/es-es/Paginas/CTJ-Los-Barrios-(C%c3%a1diz)-.aspx

viii. The Aragón Just Transition Protocol.

ix. Link to the information published regarding the Aragón Just Transition Protocol.

Link: https://www.transicionjusta.gob.es/es-es/Paginas/CTJ-Arag%c3%b3n-.aspx

x. The Valle del Caudal-Aboño Just Transition Protocol.

xi. Link to the information published regarding the Valle del Caudal-Aboño Just Transition Protocol.

Link:https://www.transicionjusta.gob.es/es-es/Paginas/Valle-del-Caudal-y-Abo%c3%b1o.aspx

xii. The Surroccidente Just Transition Protocol.

xiii. Link to the information published regarding the Surroccidente Just Transitition Protocol.

Link: https://www.transicionjusta.gob.es/es-es/Paginas/CTJ-Suroccidente-(Asturias).aspx

xiv. The Valle del Nalón Just Transition Protocol.

xv. Link to the information published regarding the Valle del Nalón Just Transition Protocol.

Link: https://www.transicionjusta.gob.es/es-es/Paginas/CTJ-Valle-del-Nal%c3%b3n.aspx

xvi. The Guardo-Velilla Just Transition Protocol.

xvii. Link to the information published regarding the Guardo-Velilla Just Transition Protocol.

Link: https://www.transicionjusta.gob.es/es-es/Paginas/CTJ-Guardo-Velilla.aspx

xviii. The Bierzo-Laciana Just Transition Protocol.

xix. Link to the information published regarding the Bierzo-Laciana Just Transition Protocol.

Link: https://www.transicionjusta.gob.es/es-es/Paginas/CTJ-Bierzo--Laciana.aspx

xx. The Montaña Central Leonesa-La Robla Just Transition Protocol.

xxi. Link to the information published regarding the Montaña Central Leonesa-La Robla Just Transition Protocol.

Link:https://www.transicionjusta.gob.es/es-es/Paginas/CTJ-Monta%c3%b1a-Central-Leonesa-La-Robla.aspx

xxii. The Meirama Just Transition Protocol.

xxiii. Link to the information published regarding the Meirama Just Transition Protocol.

Link: https://www.transicionjusta.gob.es/es-es/Paginas/CTJ-Meirama.aspx

xxiv. The As Pontes Just Transition Protocol.

xxv. Link to the information published regarding the As Pontes Just Transition Protocol.

Link: https://www.transicionjusta.gob.es/es/ctj-as-pontes-.html

xxvi. The public participation report for the Puente Nuevo – Valle del Guadiato Just Transition Protocol.

xxvii. The public participation report for the Carboneras Just Transition Protocol.

xxviii. The public participation report for the Los Barrios Just Transition Protocol.

xxix. The public participation report for the Aragón Just Transition Protocol.

xxx. The public participation report for the Valle del Caudal-Aboño Just Transition Protocol.

xxxi. The public participation report for the Surroccidente Just Transition Protocol.

xxxii. The public participation report for the Valle del Nalón Just Transition Protocol.

xxxiii. The public participation report for the Guardo-Velilla Just Transition Protocol.

xxxiv. The public participation report for the Bierzo-Laciana Just Transition Protocol.

xxxv. The public participation report for the Montaña Central Leonesa-La Robla Just Transition Protocol.

xxxvi. The public participation report for the Meirama Just Transition Protocol.

xxxvii. The public participation report for the As Pontes Just Transition Protocol.

xxxviii. Royal Decree 179/2021, of 23 March which approves the Statute of the Institute for the Just Transition (*Real Decreto 179/2021, de 23 de marzo, por el que se aprueba el Estatuto del Instituto para la Transición Justa, O.A*), published in the national Official Journal *(Boletín Oficial del Estado*), No. 72, of 25 March 2021 and entered into force on the day of its publication in the Official Journal (hereinafter referred to as "Royal Decree 179/2021").

xxxix. Order appointing the members of the Governing Council and the Advisory Council of the Institute for the Just Transition, in accordance with Royal Decree 179/2021.

3. Analysis:

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

After a participative process, publication on the Just Transition website of 12 Just transition protocols, (…).

The public participation reports describe the participative process that occurred in the areas covered by Just Transition Protocols and present the results of that process (page 3 in point xxxi of the evidence provided, page 4 in point xxvi, xxvii, xxix, xxxiii, xxxv, and xxxvi of the evidence provided, page 5 in point xxviii, xxxii, and xxxvii of the evidence provided, page 7 in point xxxiv of the evidence provided, page 9 in point xxx of the evidence provided). According to the evidence provided, after a participative process, the Spanish authorities published 12 Just Transition Protocols on the Just Transition Institute's website:

- PUENTE NUEVO – VALLE DEL GUADIATO

The public participation report for the Puente Nuevo – Valle del Guadiato Just Transition Protocol (point xxvi of the evidence provided) was published in September 2020. At least 92 actors were consulted in the public participation process (point xxvi, table 1, page 6). At least 38 actors sent back their contributions and participated in the public participation process (point xxviii, table 2, page 9). The final Puente Nuevo – Valle del Guadiato Just Transition Protocol was published on the Institute for the Just Transition's website (point iii of the evidence provided) in December 2021 (point ii of the evidence provided), after the participative process, which occurred before October 2020 (footnote 1 on page 1 in point xxvi) of the evidence provided).

- CARBONERAS

The public participation report for the Carboneras Just Transition Protocol (point xxvii of the evidence provided) was published in October 2020. At least 72 actors were consulted in the public participation process (point xxvii, table 1, page 6). At least 24 actors sent back their contributions and participated in the public participation process (point xxvii, table 2, page 9). The final Carboneras Just Transition Protocol was published on the Institute for the Just Transition's website (point v of the evidence provided) in December 2021 (point iv of the evidence provided), after the participative process, which occurred before September 2020 (footnote 1 on page 5 in point xxvii) of the evidence provided).

- LOS BARRIOS

The public participation report for the Los Barrios Just Transition Protocol (point xxviii of the evidence provided) was published in May 2021. At least 89 actors were consulted in the public participation process (point xxviii, table 1, page 7). At least 20 actors sent back their contributions and participated in the public participation process (point xxviii, table 2, page 10). The final Los Barrios Just Transition Protocol was published on the Institute for the Just Transition's website (point vii of the evidence provided) in December 2021 (point vi of the evidence provided), after the participative process, which occurred before May 2021 (footnote 2 on page 6 in point xxviii) of the evidence provided).

- ARAGÓN

The public participation report for the Aragón Just Transition Protocol (point xxix of the evidence provided) was published in July 2020. At least 107 actors were consulted in the public participation process (point xxix, table 1, page 6). At least 63 actors sent back their contributions and participated in the public participation process (point xxix, table 5, page 12). The final Aragón Just Transition Protocol was published on the Just Transition Institute's website (point ix of the evidence provided) in August 2022 (point viii of the evidence provided), after the participative process, which occurred before July 2020 (footnote 1 on page 1 in point xxix) of the evidence provided).

- VALLE DEL CAUDAL-ABOÑO

The public participation report for the Valle de Caudal-Aboño Just Transition Protocol (point xxx of the evidence provided) was published in July 2020. At least 87 actors were consulted in the public participation process (point xxx, table 1, page 11 of the PDF document). At least 37 actors sent back their contributions and participated in the public participation process (point xxx, table 2, page 13 of the PDF). The final Valle del Caudal-Aboño Just Transition Protocol was published on the Institute for the Just Transition's website (point xi of the evidence provided) in December 2021 (point x of the evidence provided), after the participative process, which occurred before July 2020 (footnote 1 on page 5 of the PDF document in point xxx) of the evidence provided).

- SURROCCIDENTE

The public participation report for the Surroccidente Just Transition Protocol (point xxxi of the evidence provided) was published in July 2020. At least 95 actors were consulted in the public participation process (point xxxi, table 1, page 5). At least 29 actors sent back their contributions and participated in the public participation process (point xxxi, table 3, page 9). The final Surroccidente Just Transition Protocol was published on the Institute for the Just Transition's website (point xiii of the evidence provided) in December 2021 (point xii of the evidence provided), after the participative process, which occurred before July 2020 (footnote 1 on page 1 in point xxxi) of the evidence provided).

- VALLE DEL NALÓN

The public participation report for the Valle del Nalón Just Transition Protocol (point xxxii of the evidence provided) was published in July 2020. At least 83 actors were consulted in the public participation process (point xxxii, table 1, page 7). At least 29 actors sent back their contributions and participated in the public participation process (point xxxii, table 2, page 9). The final Valle del Nalón Just Transition Protocol was published on the Institute for the Just Transition's website (point xv of the evidence provided) in December 2021 (point xiv of the evidence provided), after the participative process, which occurred before July 2020 (footnote 1 on page in point xxxii) of the evidence provided).

- GUARDO-VELILLA

The public participation report for the Guardo-Velilla Just Transition Protocol (point xxxiii of the evidence provided) was published in September 2020. At least 83 actors were consulted in the public participation process (point xxxiii, table 1, page 6). At least 37 actors sent back their contributions and participated in

the public participation process (point xxxiii, table 2, page 8). The Guardo-Velilla Just Transition Protocol was published on the Institute for the Just Transition's website (point xvii of the evidence provided) in November 2020 (point xvi of the evidence provided), after the participative process, which occurred before September 2020 (footnote 1 on page 5 in point xxxiii) of the evidence provided).

- BIERZO-LACIANA

The public participation report for the Bierzo-Laciana Just Transition Protocol (point xxxiv of the evidence provided) was published in September 2020. At least 452 actors were consulted in the public participation process (point xxxiv, page 4, paragraph 2). At least 180 actors sent back their contributions and participated in the public participation process (point xxxiv, page 4, paragraph 3). The Bierzo-Laciana Just Transition Protocol was published on the Institute for the Just Transition's website (point xix of the evidence provided) in November 2020 (point xviii of the evidence provided), after the participative process, which occurred before September 2020 (footnote 1, 5, 10 and 15 on pages 13, 30, 47 and 64 in point xxxiv) of the evidence provided).

- MONTAÑA CENTRAL LEONESA-LA ROBLA

The public participation report for the Montaña Central Leonesa-La Robla Just Transition Protocol (point xxxv of the evidence provided) was published in September 2020. At least 95 actors were consulted in the public participation process (point xxxv, table 1, page 6). At least 41 actors sent back their contributions and participated in the public participation process (point xxxv, table 2, page 8). The Montaña Central Leonesa-La Robla Just Transition Protocol was published on the Institute for the Just Transition's website (point xxi of the evidence provided) in November 2020 (point xx of the evidence provided), after the participative process, which occurred before September 2020 (footnote 1 on page 5 in point xxxvi) of the evidence provided).

- MEIRAMA

The public participation report for the Meirama Just Transition Protocol (point xxxvi of the evidence provided) was published in October 2020. At least 90 actors were consulted in the public participation process (point xxxvi, table 1, page 6). At least 28 actors sent back their contributions and participated in the public participation process (point xxxvi, table 2, page 9). The Meirama Just Transition Protocol was published on the Institute for the Just Transition's website (point xxiii of the evidence provided) in November 2021 (point xxii of the evidence provided), after the participative process, which occurred before September 2020 (footnote 1 on page 5 in point xxxvi) of the evidence provided).

- AS PONTES

The public participation report for the As Pontes Just Transition Protocol (point xxxvii of the evidence provided) was published in September 2021. At least 131 actors were consulted in the public participation process (point xxxvii, table 1, page 7). At least 26 actors sent back their contributions and participated in the public participation process (point xxxvii, table 2, page 10). The As Pontes Just Transition Protocol was published on the Institute for the Just Transition's website (point xxv of the evidence provided) in November 2021 (point xxiv of the evidence provided), after the participative process, which occurred before July 2021 (footnote 1 on page 1 in point xxxvii) of the evidence provided).

This is also in line with the description of the measure that the **protocols shall incorporate the cooperation of relevant local actors (public and private, including businesses, social partners, education sector, NGOs etc.):**

The Just Transition Protocols incorporated the cooperation of local public actors such as regional administrations and municipalities (point xxxiv of the evidence provided, page 4, paragraph 2; point xxxi of the evidence provided, table 1, page 5; point xxvi, xxvii, xxix, xxxiii, xxxv, and xxxvi of the evidence provided, table 1, page 6; point xxviii, xxxii, xxxvii of the evidence provided, table 1, page 7; point xxx of the evidence provided, table 1, page 11).

They also incorporated the cooperation of local private actors, including businesses, social partners, the education sector and NGOs (point xxxiv of the evidence provided, page 4, paragraph 2; point xxxi of the evidence provided, table 1, page 5; point xxvi, xxvii, xxix, xxxiii, xxxv, and xxxvi of the evidence provided, table 1, page 6; point xxviii, xxxii, xxxvii of the evidence provided, table 1, page 7; point xxx of the evidence provided, table 1, page 11).

(…) Which include commitments on employment, environmental restoration and economic and social development for the local population in 12 affected areas.

i. Commitments on employment

The Just Transition Protocols commit to maintain employment (Clause 1 on pages 4 and 5 in point ii and vi of the evidence provided, Clause 1 on page 5 in point iv, viii, x, xii, xiv, xvi, xviii, xx, xxii, xxiv of the evidence provided) and create activity in the territory by supporting sectors and groups at risk, maintaining the population in rural areas or in areas with closed facilities, and promote diversification and specialisation (recital 3, page 2 in point ii, iv, vi, viii, x, xii, xiv, xvi, xviii, xx, xxii, xxiv of the evidence provided). The Just Transition Protocols commit to take into account the need to improve the employability and working conditions of women and groups with labour market access problems, such as the long-term unemployed, people with disabilities or people at risk of exclusion (recital 4, pages 2 and 3 in point ii, iv, vi, xvi, xx, xxii, xxiv of the evidence provided, recital 4, page 3 in point viii, x, xii, xiv, xviii of the evidence provided). The Just Transition Protocols also commit to involve young people, who should have the opportunity to participate in decisions that may affect their lives, and who, by shaping the territory according to their own vision, may find incentives to remain there, as stipulated in recital 4 on page 3 of the Just Transition Protocols (point ii, iv, vi, viii, x, xii, xiv, xvi, xviii, xx, xxii, xxiv of the evidence provided).

ii. Commitments on environmental restoration

The Just Transition Protocols commit to promote activities related to: renewable energy and energy efficiency, sustainable mobility, building rehabilitation, circular economy, eco-innovation, ecosystem restoration, biodiversity, adaptation to climate change, organic or non-irrigated farming, extensive livestock farming, sustainable tourism, *etc.* (Clause 2, page 5 in point ii and vi of the evidence provided, Clause 2, pages 5 and 6 in point iv, xxii and xxiv of the evidence provided, Clause 2, page 6 in point viii, x, xii, xiv, xvi, xviii, xx of the evidence provided).

iii. Commitments on economic and social development

Clause 2 on page 6 of the Just Transition Protocols stipulates that support will be given to public, private, or social economy projects which drive transformation through innovation, and that this support may also include the support or strengthening of small business initiatives (point ii, iv, vi, viii, x, xii, xiv, xvi, xviii, xx, xxii, xxiv of the evidence provided).

iv. For the local population in 12 affected areas.

All these commitments are designed for the local population, as actions taken must be tailored to the specific needs of the territories, and must, ultimately, promote the well-being of all citizens (recital 4 on page 2 in point ii, iv, vi xvi, xx, xxii, xxiv of the evidence provided, recital 4 on pages 2 and 3 in point xviii of the evidence provided), recital 4 on page 3 in point viii, x, xii, and xiv of the evidence provided). These commitments are designed for the local population in 12 affected areas (in areas affected by the closure of coal mines and coal fired power plants, as explained in the measure description) as Just Transition Protocols aim to maintain the population in areas with closed facilities (recital 3, page 2 in point ii, iv, vi, viii, x, xii, xiv, xvi, xviii, xx, xxii, xxiv of the evidence provided).

In line with the description of the measure, the Just Transition Protocols are **tools for environmental, economic and social sustainability of the territories affected**, as, in addition to the above, one of the aims of the Just Transition Protocols is to set up strategic objectives that guarantee sustainable economic growth, social welfare, and employment in the territory (Clause 1 on pages 4 and 5 in point ii and vi of the evidence provided, Clause 1 on page 5 in point iv, viii, x, xii, xiv, xvi, xviii, xx, xxii, xxiv of the evidence provided).

Furthermore, in line with the description of the measure, **the focus shall be *inter alia* on sustaining and creating jobs, promoting diversification and specialisation, increasing the attractiveness of the areas to combat depopulation, and environmental restoration of land**.

- The focus of the Just Transition Protocols is on creating jobs as they focus on maintaining and creating activity and employment in the territory (recital 3, page 2 in point ii, iv, vi, viii, x, xii, xiv, xvi, xviii, xx, xxii, xxiv of the evidence provided).

- The focus of the Just Transition Protocols is on promoting diversification and specialisation (recital 3, page 2 in point ii, iv, vi, viii, x, xii, xiv, xvi, xviii, xx, xxii, xxiv of the evidence provided).

- The focus of the Just Transition Protocols is on increasing the attractiveness of the areas to combat depopulation as they focus on maintaining the population in rural areas or in areas with closed facilities (recital 3, page 2 in point ii, iv, vi, viii, x, xii, xiv, xvi, xviii, xx, xxii, xxiv of the evidence provided).

- The focus of the Just Transition Protocols is on environmental restoration of land as they focus on activities related to ecosystem restoration (Clause 2, page 5 in point ii and vi of the evidence provided, Clause 2, pages 5 and 6 in point iv, xxii and xxiv of the evidence provided, Clause 2, page 6 in point viii, x, xii, xiv, xvi, xviii, xx of the evidence provided).

Each of the Just Transition protocols shall cover at least an area affected by the closure of a coal fired power plant.

The public participation reports provide that the Just Transition Protocols tackle the effect of coal closures (page 2 in point xxxiii, page 3 in point xxviii, xxix, xxxi, xxxiv, xxxv, xxxvii, xxxviii, page 4 in point xxx, xxxix, page 6 in point xxxvi, and page 7 in point xxxii of the evidence provided). The Institute for the Just Transition's website (point iii, v, vii, ix, xi, xiii, xv, xvii, xix, xxi, xxiii, xxv of the evidence provided) and the public participation reports provide that each Just Transition Protocols covers an area affected by the closure of a coal fired power plant:

- The Puente Nuevo – Valle del Guadiato Just Transition Protocol covers the municipalities affected by the closure of the Puente Nuevo coal fired power plant, located in the municipality of Espiel (page 1, paragraph 1 of the public participation report, point xxvi of the evidence provided). Espiel is covered by the Puente Nuevo – Valle del Guadiato Just Transition Protocol (annex 1 of the Just Transition Protocol, on page 9 in point ii of the evidence provided).

- The Carboneras Just Transition Protocol covers the municipalities affected by the closure of the Litoral coal fired power plant, located in the municipality of Carboneras (page 1, paragraph 1 of the public participation report, point xxvii of the evidence provided).

- The Los Barrios Just Transition Protocol covers the municipalities affected by the closure of the Los Barrios coal fired power plant, located in the municipality of Los Barrios (page 1, paragraph 1 of the public participation report, point xxviii of the evidence provided).

- The Aragón Just Transition Protocol covers the municipalities affected by the closures of the Andorra coal fired power plant, and the mining operations in the municipalities of Ariño, Estercuel and Foz-Calanda (page 1, paragraph 1 of the public participation report, point xxix of the evidence provided). Andorra, Ariño and Foz-Calanda are all covered by the Aragón Just Transition Protocol (annex 1 on page 4 of the December 2021 Addendum to the Just Transition Protocol in point viii of the evidence provided).

- The Valle de Caudal-Aboño Just Transition Protocol covers the municipalities affected by the closures of the Soto de Ribera coal fired power plant, located in the municipality of Ribera de Arriba (point xi of the evidence provided), and the Aller mining exploitation (page 5 of the PDF document paragraph 1 of the public participation report, point xxx of the evidence provided). Aller and Ribera de Arriba are both covered by the Valle de Caudal-Aboño Just Transition Protocol (annex 1 on page 4 of the December 2021 Addendum to the Just Transition Protocol in point x of the evidence provided).

- The Suroccidente Just Transition Protocol covers the municipalities affected by the closures of the Narcea coal fired power plant, and the Cangas del Narcea, Tineo and Degaña mining exploitations (page 1 paragraph 1 of the public participation report, point xxxi of the evidence provided). Tineo, Degaña and Cangas del Narcea are all covered by the Suroccidente Just Transition Protocol (annex 1 on page 4 of the December 2021 Addendum to the Just Transition Protocol in point xii of the evidence provided).

- The Valle del Nalón Just Transition Protocol covers the municipalities affected by the closures of the Lada coal fired power plant, located in the municipality of Langreo (point xv of the evidence provided), and the Laviana mining operation (page 1 paragraph 1 of the public participation report, point xxxii of the evidence provided). Langreo and Laviana are both covered by the Valle del Nalón Just Transition Protocol (annex 1 on page 4 of the December 2021 Addendum to the Just Transition Protocol in point xii of the evidence provided).

- The Guardo-Velilla Just Transition Protocol covers the municipalities affected by the closures of the Velilla coal fired plant, located in Velilla del Río Carrión, and the Muñeca mining operation, located in the municipality of Guardo (page 1 paragraph 1 of the public participation report, point xxxiii of the evidence provided). Both Guardo and Velilla del Río Carrión are covered by the Guardo-Velilla Just Transition Protocol (annex 1 of the Just Transition Protocol, on page 10 in point xvi of the evidence provided).

- The Bierzo-Laciana Just Transition Protocol covers the municipalities affected by the closures of the Compostilla (Cubillos del Sil) and Anllares (Páramo del Sil) coal fired power plants, as well as the mining operations of Fabero, Villablino, and Torre del Bierzo (page 4 paragraph 1 of the public participation report, point xxxiv of the evidence provided). The municipalities of Fabero, Villablino, Torre del Bierzo, Cubillos del Sil and Páramo del Sil are all covered by the Bierzo-Laciana Just Transition Protocol (annex 1 of the Just Transition Protocol, on page 10 in point xviii of the evidence provided).

- The Montaña Central Leonesa - La Robla Just Transition Protocol covers the municipalities affected by the closures of the La Robla coal fired power plant (La Robla), and the Santa Lucía mining operation, located in the municipality La Pola de Gordón (page 1 paragraph 1 of the public participation report, point xxxv of the evidence provided). Both La Pola de Gordón and La Robla are covered by the Montaña Central Leonesa - La Robla Just Transition Protocol (annex 1 of the Just Transition Protocol, on page 10 in point xx of the evidence provided).

- The Meirama Just Transition Protocol covers the municipalities affected by the closure of the Meirama coal fired power plant, located in the municipality of Cerceda (page 1 paragraph 1 of the public participation report, point xxxvi of the evidence provided). Cerceda is covered by the Meirama Just Transition Protocol (annex 1 of the Just Transition Protocol, on page 9 in point xxii of the evidence provided).

- The As Pontes Just Transition Protocol covers the municipalities affected by the closure of the As Pontes coal fired power plant, located in the municipality of As Pontes de García Rodríguez (page 1 paragraph 1 of the public participation report, point xxxvii of the evidence provided). As Pontes de García Rodríguez is covered by the As Pontes Just Transition Protocol (annex 1 of the Just Transition Protocol, on page 9 in point xxiv of the evidence provided).

This is also in line with the description of the measure that **this reform shall establish 12 Just Transition Protocols covering each area affected by the closing of coalmines and coal fired power plants.** The Aragón, Valle de Caudal-Aboño, Suroccidente, Valle del Nalón, Guardo-Velilla, Bierzo-Laciana and Montaña

Central Leonesa - La Robla Just Transition Protocols are also designed to respond to the impacts arising from the closures of mining operations and coalmines (as included on the Just Transition Institute's website in point ix, xi, xiii, xv, xvii, xix and xxi of the evidence provided).

Creation of an Advisory Council, made up of representatives from ministerial departments and representatives from local and regional authorities that shall provide advice and assess the impact of just transition policies.

Royal Decree 179/2021 of 23 March 2021 approves the Statutes of the Institute for the Just Transition (point xxxviii of the evidence provided, hereinafter referred to as "Royal Decree 179/2021"). Chapter II, Articles 12 and 13 of the Statute annexed to Royal Decree 179/2021 provide for the creation, the organisation and the functions of the Advisory Council, while Article 14 of the Statute explains its functioning. Additionally, recital 25 of Royal Decree 179/2021 explains that Royal Decree 179/2021 creates an Advisory Council.

Article 12 of the Statute annexed to Royal Decree 179/2021 stipulates that the Advisory Council is made up of representatives from the General State Administration, Autonomous Communities, and local entities. In application of Article 12 of the Statute, pages 2 to 4 of the Order appointing the members of the Governing Council and the Advisory Council of the Institute for the Just Transition, in accordance with Royal Decree 179/2021 (point xxxix of the evidence provided), provide that the Advisory Council is made up of:

- representatives from the Ministry of Agriculture, Fisheries and Food; the Ministry of Equality; and the Ministry of Social Rights.
- representatives from the Autonomous Communities of Andalusia, Aragón, Asturias, Castilla-La Mancha, Castilla y León and Galicia.
- a representative from a municipality appointed by the Spanish Federation of Municipalities and Provinces.

Article 13 of the Statute annexed to Royal Decree 179/2021 provides that the functions of the Advisory Council are to analyse and evaluate the Spanish Just Transition Strategy, both in its preparation and in its implementation, to analyse and evaluate the methodologies and monitoring reports of the Just Transition Agreements, and to provide advice on Just Transition projects and alternative development programmes in mining areas. Paragraph 3 on page 1 of the Order appointing the members of the Governing Council and the Advisory Council of the Institute for the Just Transition, in accordance with Royal Decree 179/2021, also stipulates that the main function of the Advisory Council is to provide advice and assess the impact of the Just Transition policies to be implemented by the Institute.

4. Commission Preliminary Assessment:

Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C11]-R[R1]-M[433], Update of the National Security Framework

Related Measure: ES-C[11]-R[R1], Reform for the modernisation and digitalisation of the administration

Quantitative Indicator: Provision in the royal decree indicating its entry into force

Time: Q2 2023

1. Context:

Milestone 433 is part of Reform 1 of Component 11 (C11.R1), which aims at modernising and digitalising the public administration.

Milestone 433 requires the entry into force of a royal decree updating the National Security Framework by i) adjusting its requirements to the reality of certain groups or types of systems; ii) aligning it with the regulatory framework and the strategic context to guarantee security in digital public administration; and iii) facilitate a better response to cybersecurity trends, reduce vulnerabilities and promote continuous vigilance.

Milestone 433 is the sixth milestone of the reform, and it follows the completion of milestones 144 (Entry into force of legislative act to reduce temporary employment in public administration), 145 (Entry into force of the amendment to Law 40/2015 and ministerial orders strengthening inter-territorial cooperation), 146 (Entry into force of the law to reinforce public policies evaluation), 147 (Entry into force of the reform of Law 7/1985 5 on local administrative regimes and the amendment of the Royal Decree 1690/1986, of 11 July, approving the Regulation on Population and Territorial Demarcation of Local Entities) and 148 (Entry into force of regulatory measures relating to the civil service of the State Administration). It will be followed by milestone 149 (Statutes of the new evaluation public body, target 150 (Stabilisation of public employment) and milestone 432 (Law on Transparency and Integrity in the Activities of Interest Groups).

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and the corresponding measure in the Council Implementing Decision Annex) was satisfactorily fulfilled.

ii. Royal Decree 311/2022, of 3 May, regulating the National Security Framework (*Real Decreto 311/2022, de 3 de mayo, por el que se regula el Esquema Nacional de Seguridad*) (BOE-A-2022-7191, of 4 May 2022).

iii. Order PCI/487/2019 of 26 April publishing the National Cybersecurity Strategy 2019, approved by the National Security Council (*Orden PCI/487/2019, de 26 de abril, por la que se publica la Estrategia Nacional de Ciberseguridad 2019, aprobada por el Consejo de Seguridad Nacional*) (BOE-A-2019-6347, of 30 April 2019), hereinafter 'the National Cybersecurity Strategy 2019.'

iv. Copy of the National Cybersecurity Plan (not publicly available), approved by the Council of Ministers on 29 March 2022.

3. Analysis:

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

Entry into force of a royal decree updating the National Security Framework.

Royal Decree 311/2022, of 3 May, regulating the National Security Framework (item ii of the evidence provided) was published on the Official Journal on 4 May 2022 and, in line with its third final disposition, it entered into force on 5 May 2022.

The royal decree shall adjust the requirements of the National Security Framework to the reality of certain groups or types of systems, introducing the concept of "specific compliance profile."

Article 30 of Royal Decree 311/2022, of 3 May, regulating the National Security Framework (item ii of the evidence provided), introduces the concept of "specific compliance profiles" and thereby adjusts the requirements of the National Security Framework to the reality of certain groups. In particular, Article 30(1) states that "*[i]n accordance with the principle of proportionality and seeking an effective and efficient application of the National Security Framework to specific entities or sectors of activity, specific compliance profiles can be implemented, covering the set of security measures that, on the basis of the required risk analysis, are suitable for a particular security category*."

Furthermore, Article 30(3) establishes that the National Cryptological Centre (CCN) shall validate and publish the relevant specific compliance profiles defined in line with Article 30, in accordance with the technical security instructions and security guides approved in line with the second additional provision of Royal Decree 311/2022, of 3 May.

The royal decree shall align the National Security Framework with the regulatory framework and the strategic context to guarantee security in digital public administration, in accordance with the National Cybersecurity Strategy 2019 and the National Cybersecurity Plan.

The preamble of Royal Decree 311/2022, of 3 May (item ii of the evidence provided), explains that the National Security Framework is updated, inter alia, "*to align the National Security Framework with the existing regulatory framework and strategic context to ensure security in digital administration. The aim is to clearly define the scope of the National Security Framework to improve cybersecurity and citizens' rights, to update the references to the existing legal framework and to review the formulation of certain issues in the light of it, in line with the National Cybersecurity Strategy 2019 and the National Cybersecurity Plan, so as to simplify, clarify or harmonise the mandates of the National Security Framework, remove aspects that may be considered excessive, or add those that are identified as necessary.*"

The preamble of Royal Decree 311/2022, of 3 May, underscores significant strategic shifts since 2010 in Spain and the European Union, "*including the progressive digital transformation of our society, the new cybersecurity landscape and the advancement of application technologies. It has also been shown that*

information systems are increasingly exposed to the materialisation of threats from cyberspace, with a noticeable increase in cyber-attacks, both in terms of volume and frequency and sophistication, with agents and actors with greater technical and operational capabilities; threats in a context of high dependence on information and communication technologies in our society and high interconnection of information systems." It also refers to the changes in the regulatory framework that have taken place since 2010, both in the European and Spanish framework as regards national security, the regulation of the administrative procedure and the legal regime for the public sector, the protection of personal data and the security of network and information systems.

Several provisions of Royal Decree 311/2022, of 3 May, specifically align the National Security Framework with the regulatory framework and the strategic context to guarantee security in the digital public administration. For instance, Article 2(4), extending the Royal Decree's scope of application to public sector entities that carry out the installation, deployment and operation of 5G networks or the provision of 5G services, refers to Royal Decree-law 7/2022, of 29 March, on requirements to ensure the security of fifth generation electronic communications networks and services. Article 3 aligns the National Security Framework with the latest legal framework on data protection, both at EU level (referring to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) and at national level (Organic Law 3/2018 of, 5 December, on the protection of personal data and the guarantee of digital rights; and Organic Law 7/2021, of 26 May, on the protection of personal data processed for the purposes of the prevention, detection, investigation and prosecution of criminal offences and the execution of criminal penalties). Articles 33 and 25, regulating security incidents, refer respectively to Royal Decree-Law 12/2018 of 7 September on the security of network and information systems and to Royal Decree 43/2021 of 26 January implementing Royal Decree-Law 12/2018 of 7 September. Moreover, the measures analysed under the second and last requirements of the milestone further contribute to aligning the National Security Framework with the strategic context to guarantee security in the public digital administration.

These changes to align the National Security Framework with the regulatory framework and the strategic context to guarantee security in digital public administration are in accordance with the National Cybersecurity Strategy 2019 (item iii of the evidence provided) and the National Cybersecurity Plan (item iv of the evidence provided). Objective I of the National Cybersecurity Strategy 2019 ('Security and resilience of information and communication networks and systems in the public sector and essential services') establishes that "*[i]t is necessary to consolidate a coherent and integrated national framework that helps ensure the protection of information managed by the public sector and essential services, along with their systems and services, as well as the networks that support them. This framework will enable the development and implementation of increasingly secure and efficient services. To achieve this, it is necessary to implement security measures aimed at enhancing the capabilities for prevention, detection, and response to incidents, developing new solutions, strengthening coordination, and consequently adapting the legal framework*." In this context, Action Line 2 of the National Cybersecurity Strategy 2019 ('Ensuring the security and repurposing of strategic assets for Spain') addresses Objective I, including, among others, the following measure: "*expanding and strengthening the capabilities for prevention, detection, response, recovery, and resilience against cyberattacks targeting the public sector, essential services, and strategically important companies*" (sub-measure number 1). Similarly, Action Line 2 under Priority 3 of the National Cybersecurity Plan ('Ensure the security and resilience of Spain's strategic assets')

refers to 'Expanding and strengthening the capabilities for prevention, detection, response, recovery and resilience against cyberattacks targeting the public sector, essential services, and strategically important companies.'

The royal decree shall facilitate a better response to cybersecurity trends, reduce vulnerabilities and promote continuous vigilance by reviewing the basic principles, the minimum requirements and the security measures.

The preamble of Royal Decree 311/2022, of 3 May (item ii of the evidence provided), explains that one of the main objectives of this legal instrument is to facilitate a better response to cybersecurity trends, reduce vulnerabilities and promote continuous surveillance by reviewing basic principles, minimum requirements and security measures.

Article 5 of Royal Decree 311/2022, of 3 May, reviews the basic principles of the National Security Framework and introduces the principle of "continuous surveillance." Article 10 further develops the principle of continuous surveillance as follows: "*[c]ontinuous surveillance shall allow the detection of anomalous activities or behaviours and their timely response. The ongoing assessment of the security status of assets shall make it possible to measure their evolution, identify vulnerabilities and identify configuration deficiencies*."

Chapter III Royal Decree 311/2022, of 3 May, regulates minimum security requirements. In particular, it lays down the minimum content of the information security policy (Article 12) and reinforces the minimum requirements relating to the "minimum privilege" (Article 20), and the "record of activity and detection of harmful codes" (Article 24). Article 12(1) defines the information security policy as "*the set of guidelines governing how an organisation manages and protects the information it handles and the services it provides.*" It also provides that the instrument approving that security policy shall include at least the following elements: i) the objectives or mission of the organisation; ii) the regulatory framework within which the activities will be carried out; iii) the safety roles or functions, defining for each, their duties and responsibilities, as well as the procedure for their designation and renewal; iv) the structure and composition of the safety management and coordination committee(s), detailing their area of responsibility and the relationship with other elements of the organisation; v) guidelines for structuring the security documentation of the system, its management and access; and vi) the risks arising from the processing of personal data. Article 20 reinforces the minimum requirement of the "minimum privilege" by requiring that "*security configuration guides shall be applied for the different technologies, adapted to the categorisation of the system, in order to remove or deactivate functions that are unnecessary or inappropriate*." Article 24(2) reinforces the minimum requirement of the "record of activity and detection of harmful codes" by establishing that public and private sector entities, as defined in Article 2 of the Royal Decree, "*may, to the extent strictly necessary and proportionate, analyse incoming or outgoing communications, and solely for information security purposes, in such a way as to prevent unauthorised access to network and information systems, stop denial of service attacks, prevent harmful malicious distribution of code and other damage to such networks and information systems*." Article 24(3) further establishes that "*[i]n order to correct or, where appropriate, hold accountable, each user accessing the information system shall be uniquely identified, so that it is known at all times who receives access rights, what type of access rights are, and who has performed a certain activity*."

A review has been conducted of the security measures (Annex II of Royal Decree 311/2022, of 3 May) that shall be applied to achieve compliance with the basic principles and minimum requirements provided for in the Royal Decree. Key enhancements include the addition of specific security measures such as “protection of cloud services”, “supply chain protection”, and “interconnection of systems”, among others. Furthermore, a re-assessment of the alignment between required security levels and corresponding security measures, has been carried out. For instance, the “activity register” measure, which was previously applicable only to the high security dimension, shall now apply across all security levels (low, medium and high) and shall be implemented in a reinforced manner at both the medium and high levels.

Overall, the introduction of the basic principle of “continuous surveillance” (Article 10), the reinforcement of the information security policy (Article 12(1)) and the minimum requirements relating to “minimum privilege” (Article 20) and “record of activity and detection of harmful codes” (Article 24), as well as the revision and reinforcement of the security measures (Annex II) facilitate a better response to cybersecurity trends, reduce vulnerabilities and promote continuous vigilance.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C11]-R[R2]-M[434], Entry into force of the Law on organisational and procedural efficiency

Related Measure: ES-C[11]-R[R2], Reform to boost the rule of law and the efficiency of the justice system

Quantitative Indicator: Provision in the law indicating its entry into force

Time: Q2 2023

1. Context:

The objective of this reform is to boost the rule of law and the efficiency of the justice system.

Milestone 434 is part of C11.R2 and requires the entry into force of a law on organisational and procedural efficiency to amend the organisation of the judicial map and to further improve the procedural efficiency of the justice system.

Milestone 434 is the third milestone of C11.R2 and it follows the completion of milestones 151 and 152 relating to the entry into force of Law 3/2020 on procedural and organisational measures in the field of justice and of the royal decrees-law improving the efficiency of judicial procedures and digital efficiency, respectively. It is followed by milestone 435 (Entry into force of Law on the Right of Defence) within this preliminary assessment.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision Annex) was satisfactorily fulfilled.

ii. Organic Law 1/2025, of 2 January, on measures for the efficiency of the public service of justice (*Ley Orgánica 1/2025, de 2 de enero, de medidas en materia de eficiencia del Servicio Público de Justicia*) (BOE-A-2025-76, of 3 January 2025).

3. Analysis:

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

Entry into force of the law on organisational and procedural efficiency. Furthermore, in line with the description of the measure, **the *"vacatio legis"* established in the law shall be taken into account.**

Organic Law 1/2025, of 2 January, on measures for the efficiency of the public service of justice (item ii of the evidence provided) was published in the Official Journal on 3 January 2025. According to its 38th final provision, the law shall enter into force three months after its publication (i.e. on 3 April 2025). Title I (relating to the 'Measures on the organisational efficiency of the Public Service of Justice for the implementation of the Courts of Instance and the Justice Offices in municipalities'), as well as the first to

eighth transitional provisions and the sixth final provision entered into force 20 days after the law's publication in the Official Journal (i.e. on 23 January 2025).

Amend the organisation of the judicial map in line with the description of the measure, which requires that the law on organisational and procedural efficiency shall replace the high number of unipersonal first-instance courts by 431 collegial organs (*Tribunales de Instancia*) and implement the Judicial Office.

Title I of Organic Law 1/2025, of 2 January, comprised by Article 1 (containing 114 sub-paragraphs), amends the organisation of the justice system by modifying several provisions of Organic Law 6/1985, of 1 July, on the Judiciary. Sub-paragraph 9 of Article 1 modifies Article 26 of Organic Law 6/1985, of 1 July, which regulates the courts entrusted with the exercise of judicial powers. It deletes the reference to "unipersonal first-instance courts" (*Juzgados de Primera Instancia e Instrucción*) and replacing these by collegial courts (*Tribunales de Instancia*).

Sub-paragraph 21 of Article 1 of Organic Law 1/2025, of 2 January, modifies Article 84 of Organic Law 6/1985, of 1 July, establishing that there shall be a collegial court (*Tribunal de Instancia*) in each judicial district, with its headquarters in its capital. Sub-paragraph 18 of the eighth final disposition of Organic Law 1/2025, of 2 January, modifying Annex VI of Law 38/1988, of 28 December, on judicial mapping and organisation, lists the 431 judicial parties in Spain and establishes one collegial court (*Tribunal de Instancia*) in each judicial district. Therefore, the high number of unipersonal first-instance courts (J*uzgados de Primera Instancia e Instrucción*) is replaced by 431 collegial courts (*Tribunales de Instancia*).

Sub-paragraphs 82, 83 and 84 of Article 1 of Organic Law 1/2025, of 2 January, amend respectively Articles 436, 437 and 438 of Organic Law 6/1985, of 1 July, to implement the Judicial Office, which is the organisation supporting and assisting the judicial activity of judges and courts. The activities of the Judicial Office shall be carried out through the "common services" (basic organisational unit responsible for centralised management and support in legal proceedings, so-called *servicios comunes*). Therefore, all "common services" become part of an instrumental structure serving the judicial function. Each "common service", in its area of activity, assists judges in the performance of their duties, carrying out the necessary measures to ensure that all decisions issued by them are complied with accurately and effectively. The "common services" shall be headed by a court clerk (*letrado/a de la Administración de la Justicia*) to whom the law assigns the technical and procedural direction and coordination of the court clerks within the service. The "common processing service" (*servicio común de tramitación*) is established as a necessary "common service" within the Judicial Office, which may or may not operate alongside other common services.

Further improve the procedural efficiency of the justice system by:

i) introducing reforms in procedural laws to increase the speed of procedures in the jurisdictions that are not covered by milestone 152.

Milestone 152 required the entry into force of a royal decree-law introducing reforms in procedural laws to increase the speed of procedures in the administrative and social jurisdictions. Royal Decree-law 5/2023, of 28 June, and Royal Decree-law 6/2023, of 19 December, were assessed in the context of the fourth payment request to justify the satisfactory fulfilment of milestone 152. Royal Decree-law 5/2023,

of 28 June, contains reforms to increase the speed of proceedings in the administrative jurisdiction (Article 224) and Royal Decree-law 6/2023, of 19 December, contains further measures to increase the speed of proceedings in the administrative jurisdiction (Article 102) as well as in the social jurisdiction (Article 104).

Therefore, milestone 434 requires the entry into force of a law that introduces reforms in procedural laws to increase the speed of procedures in the criminal and civil jurisdictions. Title II of Organic Law 1/2025, of 2 January (item ii of the evidence provided), regulates 'Measures on the procedural efficiency of the Public Service for Justice.' In particular, Articles 20 and 22 introduce reforms to speed procedures in the criminal and civil jurisdiction, respectively.

Sub-paragraphs 10, 11, 12 and 16 of Article 20 amend respectively Article 785, 786, 787 and 802 of the Code of Criminal Procedure, regulating a preliminary hearing prior to the trial, where an agreement may be reached, evidence may be proposed and matters relating to the jurisdiction of the court, infringement of fundamental rights or nullity of evidence, among others, may be addressed. Sub-paragraphs 4 and 5 of Article 20 amend Articles 655 and 688 of the Code of Criminal Procedure respectively and sub-paragraph 14 of Article 20 introduces Article 787 ter, modifying the plea-bargaining system ("*régimen de conformidades*") in criminal proceedings. The criminological limit of 6 years has been removed so that any offence, regardless of its penalty or sentence, can be subject to plea-bargaining. Sub-paragraphs 7 and 8 of Article 20 amend Articles 771 y 776(1) of the Code of Criminal Procedure respectively, improving the information on the rights of victims to prevent repeated procedures and subsequent summons.

Sub-paragraph 34 of Article 22 adds sub-paragraph 10 to Article 438 of the Code of Civil Procedure, introducing the possibility for the judge, on the basis of the parties' requests for evidence, to decide against holding a hearing even if the parties have requested one. The aim is to prevent unnecessary hearings that could delay the proceeding of the "*juicio verbal*" (civil proceeding for claims of up to EUR 15 000 and other specific proceedings provided for by law). Sub-paragraph 41 of Article 22 amends Article 447(1) and (2) of the Code of Civil Procedure, introducing the option for judges to deliver oral judgments in the context of a "*juicio verbal*". This change aims at speeding up the proceeding by eliminating the need for drafting written judgements. Sup-paragraphs 55 to 73 of Article 22 amend Articles 644 to 657 and 667 to 671 of the Code of Civil Procedure, modifying different aspects of the electronic judicial auction system. The new regulation speeds up the post-auction procedures and facilitates competition within the auction. For instance, the deadline to pay the remainder of the price is shortened from 40 to 20 days. It is also established that the time limits for paying the remainder of the price – when it does not cover the minimum percentages – will start automatically from the closing date of the auction.

ii) introducing alternative dispute resolution means.

Chapter I of Title II (Articles 2-19) of Organic Law 1/2025, of 2 January (item ii of the evidence provided), regulates the methods of alternative dispute resolution. Article 2 defines an alternative dispute resolution as "*any type of negotiation activity, recognised in this or other laws, state or regional, to which the parties to a dispute go in good faith with a view to finding an out-of-court solution to the dispute, either on their own or with the involvement of a neutral third party*." Article 5 of Organic Law 1/2025, of 2 January, establishes a new procedural requirement: in civil courts, as a general rule, utilising an alternative dispute resolution method is considered a prerequisite for an action to be admissible. In particular, negotiation prior to legal proceedings will be required as a procedural requirement in all declaratory proceedings

under Book II and in special proceedings under Book IV of the Code of Civil Procedure, with the exception of those listed in Article 5(2) of Organic Law 1/2025, of 2 January. Section 3 of Chapter I of Title II (Articles 14-19) regulates the 'different methods of negotiation prior to the judicial process', including inter alia mediation, conciliation, neutral opinion of an independent expert and a confidential binding offer.

iii) introducing reforms in the procedural laws that shall resolve disputes before reaching the courts.

In order to implement the procedural requirement outlined in Article 5 of Organic Law 1/2025, of 2 January (item ii of the evidence provided), analysed in the prior section, reforms have been introduced in the Code of Civil Procedure. Among others, Sub-paragraph 22 of Article 22 of Organic Law 1/2025, of 2 January, adds a new paragraph to Article 264 of the Code of Civil Procedure, which regulates the documents to be submitted with a civil action. This new paragraph establishes that "*[t]he document that proves an attempt at pre-litigation negotiation when the law requires such an attempt as a procedural prerequisite, or a responsible declaration from the party stating the impossibility of carrying out the pre-litigation negotiation due to the lack of knowledge of the defendant's address or the means by which they can be summoned*" shall be provided. Sub-paragraph 29 of Article 22 of Organic Law 1/2025, of 2 January, modifies Article 399(3) of the Code of Civil Procedure, which regulates the civil action and its content. It establishes that the civil action shall include a description of the prior negotiation process carried out or its impossibility, and, if applicable, the documents that justify the use of an alternative dispute resolution method, unless exempted from this procedural requirement under the law. Sub-paragraph 28 of Article 22 of Organic Law 1/2025, of 2 January, adds a new paragraph to Article 395 of the Code of Civil Procedure, establishing that "*[i]f the defendant has failed to resort, without just cause, to an alternative dispute resolution method when legally required or as ordered by the judge or court, or the clerk of the Administration of Justice during the legal proceeding, and later agrees to the claim, the defendant shall be ordered to pay costs, unless the court, in a duly justified decision, deems exceptional circumstances to exempt them from this*." Sub-paragraph 30 of Article 22 of Organic Law 1/2025, of 2 January, modifies Article 403(2) to include, among the grounds for inadmissibility of the claim, the failure to present the documents that justify the use of an alternative dispute resolution method.

Moreover, sub-paragraph 20 of Article 20 of Law 1/2025, of 2 January, adds a new 9th additional disposition to the Code of Criminal Procedure regulating "restorative justice" (*justicia restaurativa*) within the criminal jurisdiction as another form of negotiation activity. Restorative justice is voluntary. In the case of an agreement, the judicial body, after hearing the Public Prosecutor, the parties involved, and the victim of the crime, and considering the circumstances and the status of the proceedings, may:

a. If it is a minor offense, order the case to be closed, based on the fulfilment of the agreements reached.

b. If the case concerns a private offense or an offense where pardon extinguishes criminal responsibility, order the dismissal of the proceedings and its archiving, nullifying any precautionary measures that may have been imposed.

c. If the case is with the investigative body, order its conclusion and the referral of the case to the competent body for the holding of a plea agreement hearing.

d. If the case is with the trial court, proceed with the procedures for a plea agreement trial. The plea agreement judgment will include the agreements reached by the parties.

e. Decide on the suspension of the execution of a penalty involving deprivation of liberty, evaluating the outcome of the restorative process in order to establish the conditions, measures, or obligations for the suspension; or, where applicable, on the content of community service.

iv) further achieving a more efficient management and a faster response to the demands of citizens and companies.

The reforms introduced by Articles 20 and 22 of Organic Law 1/2025, of 2 January (item ii of the evidence provided), to speed procedures in the criminal and civil jurisdiction respectively, and analysed under the requirement of this milestone relating to 'introducing reforms in procedural laws to increase the speed of procedures in the jurisdictions that are not covered by milestone 152' ultimately contribute to further achieving a more efficient management and a faster response to the demands of citizens and companies in the civil and criminal jurisdictions.

Moreover, Article 21 and 23 of Organic Law 1/2025, of 2 January, further introduce reforms to increase the speed of proceedings in the administrative and social jurisdictions respectively. These also contribute to further achieving a more efficient management and a faster response to the demands of citizens and companies in these jurisdictions.

Finally, the introduction of alternative dispute resolution methods analysed above contributes to further achieving a more efficient management and a faster response to the demands of citizens and companies by providing for the possibility to find out an out-of-court solution to a dispute.

v) overall, achieving a more agile, efficient, citizen-friendly, sustainable and transparent Administration of Justice.

Overall, the reforms on organisational and procedural efficiency introduced by Organic Law 1/2025, of 2 January (item ii of the evidence provided), and analysed in the previous sections contribute to achieving a more agile, efficient, citizen-friendly, sustainable, and transparent administration of justice. In particular, it is worth mentioning the transformation of the secretariats of "peace courts" (*Juzgados de Paz*) into "justice offices in the municipalities" as part of the organisational reform of justice. Sub-paragraph 88 of Article 1 of Organic Law 1/2025, of 2 January, adds a new Chapter IV in Title I of Book V ('Justice Offices in Municipalities') to Organic Law 6/2985, of 1 July, comprising Articles 439 ter, 439 quater, and 439 quinquies. Building on the previous system of "peace courts", the justice offices in the municipalities are set up as units which, without being part of the structure of the Judicial Office, provide services to the citizens of the respective municipalities. Its existence is provided for in municipalities where there is no collegial court *(Tribunal de Instancia*). In addition to taking care of the procedural communications, the justice offices shall provide, inter alia, services of cooperation with the Civil Registry and with the units in charge of alternative dispute resolution methods and management of citizens' requests relating to the administration of justice. Notably, these offices play an essential role in enhancing accessibility to services throughout the territory, especially in areas at risk of depopulation, and in mediating with individuals who have difficulties in approaching digitalisation, especially the elderly.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C11]-R[R2]-M[435], Entry into force of Law on the Right to Defence

Related Measure: ES-C[11]-R[R2], Reform to boost the rule of law and the efficiency of the justice system

Qualitative Indicator: Provision in the law indicating its entry into force

Time: Q2 2023

1. Context:

The objective of this reform is to boost the rule of law and the efficiency of the justice system.

Milestone 435 is part of C11.R2 and requires the entry into force of a law on the right to defence to develop and enhance the fundamental right to a fair trial and ultimately contribute to boosting the rule of law.

Milestone 435 is the fourth and last milestone of C11.R2 and it follows the completion of milestones 151 and 152 relating to the entry into force of Law 3/2020 on procedural and organisational measures in the field of justice and of the royal decrees-law improving the efficiency of judicial procedures and digital efficiency, respectively. It follows by milestone 434 within this preliminary assessment.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Copy of Organic Law 5/2024, of 11 November, on the Right to Defence (*Ley Orgánica 5/2024, de 11 de noviembre, del Derecho de Defensa*) (BOE-A-2024-23630, of 14 November 2024).

3. Analysis:

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

Entry into force of the law on the right to defence. Furthermore, in line with the description of the measure, **the *"vacatio legis"* established in the law shall be taken into account.**

Organic Law 5/2024, of 11 November, on the Right to Defence (item ii of the evidence provided) was published in the Official Journal on 14 November 2024 and entered into force on 4 December 2024, as provided for in its ninth final disposition.

The law shall develop and enhance the fundamental right to a fair trial.

In accordance with Article 1 of Organic Law 5/2024, of 11 November (item ii of the evidence provided), the purpose of this law is to "*regulate the right to defence, recognised in Article 24 of the Spanish Constitution as an inalienable fundamental right*."

As described in its preamble, Organic Law 5/2024, of 11 November, "*[s]ince the adoption of the Spanish Constitution, case-law and judicial practice have been consolidating the standards of the right to defence in the various judicial orders, procedures and actions.*" However, it is now time that "*this basic structural principle of the rule of law is enshrined in an organic law, which, without exhausting its various aspects, develops some of the essential aspects of this right […]. It should serve to make people aware of the scope of this right […], as well as to provide a route guide for all legal operators*."

There are several provisions of Organic Law 5/2024, of 11 November, that develop and enhance the fundamental rights to a fair trial. For instance, Articles 2 and 3(7) enhance the right to defence by recognising it to both natural and legal persons, and by enshrining it not only before the courts, but also before the public administrations and the alternative means of dispute resolution. Article 8 recognises the "right to quality of legal assistance" both in the provision of legal advice and the defence before court to ensure the quality and accessibility of the service.

Article 10(c) and (d) of Organic Law 5/2024, of 11 November, address the question of linguistic rights in the exercise of the right to defence by recognising the right of citizens to interact with the administration of justice in any of the official languages of the State, in the territory of the respective region as well as in proceedings before State jurisdiction bodies. To ensure the effectiveness of this right, Article 11 establishes the right to an interpreter and/or translator. Article 10(e) also recognises the right of the holders of the right to defence to "*have hearings, appearances and judicial acts conducted in a timely manner*."

Furthermore, Article 12(4) recognises the right to know the Artificial Intelligence criteria used by digital platforms, including those that facilitate the choice of legal practitioners. Article 6 regulates the right to be duly informed by the lawyer of, among others, the financial implications of a proceeding in terms of fees and legal costs (Article 6(2)(d)). To this end, it is envisaged that bar associations may draw up guidance criteria to quantify the reasonable amount in the event of taxation of costs or unpaid fees (Article 6(2)(e)).

The lawyer is a fundamental element of the right of defence. Organic Law 5/2024 also addresses a variety of issues related to legal practitioners. For instance, Article 16(2) establishes that communications between legal practitioners are, as a general rule, confidential and "*may not be invoked in court or have any evidentiary effect*".

Furthermore, in line with the description of the measure, **the law shall ultimately contribute to boost the rule of law.**

As mentioned in the preamble of Organic Law 5/2024, of 11 November (item ii of the evidence provided), "*[t]he right to defence is closely linked to the rule of law. Together with the right to effective judicial protection, it is one of the basic rights of protection of citizens. […] Article 24 of the Spanish Constitution enshrines the fundamental right to effective judicial protection, inextricably linking it to the fundamental right to not be defenceless or, in positive terms, to the right of defence; such a close and substantial connection allows to establish as an axiomatic equation that, without effective judicial protection, a genuine defence is not possible, and the exercise of effective judicial protection is impracticable. Both rights are therefore shaped as two sides of the same coin and as a corollary inherent in the functioning of a rule of law*." Therefore, by developing and enhancing the right to defence, Organic Law 5/2024, of 11 November, ultimately contributes to boost the rule of law.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C11]-R[R3]-M[437], Publication of the Biennial Climate Change Risk Report for the Financial System and creation of the Sustainable Finance Council

Related Measure: ES-C[11]-R[R3], Reform to modernise the institutional architecture of economic governance

Quantitative Indicator: Publication of the report and the action plan for the Council

Time: Q2 2023

1. Context:

The objective of this reform is to reform aspects of the institutional economic governance framework, including by speeding up and promoting the digitalisation of processes. Among others, the reform includes the publication of a green book to promote sustainable finances in Spain.

Milestone 437 is part of C11.R3 and requires the publication of a green book for the promotion of sustainable finance, as well as the publication of the first edition of the Biennial Report on Climate Chance Risks for the Financial System and the creation and entry into operation of a Sustainable Finance Council as a forum to promote public-private collaboration in the field of sustainable finance.

Milestone 437 is the third milestone of C11.R3 and it follows the completion of milestones 153 and 154, relating to the entry into force of Royal Decree 937/2020 on the regulation of the *Caja General de Depósitos* and of Royal Decree approving the Regulation implementing Law 22/2015 of 20 July on audits of accounts, respectively. It is followed by milestone 436, related to the entry into force of the law on customer services and the law establishing the Financial Client Protection Authority.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Green Book on sustainable finance in Spain (*Libro Verde sobre Finanzas Sostenibles*), published on the website of the Ministry of Economy, Trade, and Business on 28 November 2024 (https://portal.mineco.gob.es/es-es/comunicacion/Paginas/libro-verde-finanzas-sostenibles.aspx).

iii. First Biennial Climate Change Risk Report for the Financial System (2023, Number 1), published on the website of the Macroprudential Authority Financial Stability Board on 12 September 2023 (https://www.amcesfi.es/wam/es/secciones/publicaciones/index2023.html).

iv. Ministerial Order ECM/44/2025, of January 20, creating and regulating the Sustainable Finance Council (*Orden ECM/44/2025, de 20 de enero, por la que se crea y regula el Consejo de Finanzas Sostenibles*) (BOE-A-2025-1199, of 23 January 2025).

v. Copy of the minutes of the first meeting of the Sustainable Finance Council, signed by the Secretary of the Council and the Minister of Economy as Chair of the Council on 24 and 27 February 2025.

vi. Copy of the Action Plan with a timeline and deliverables, approved by the Sustainable Finance Council in its first meeting held on 13 February 2025.

3. Analysis:

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

The authorities shall publish a Green Book for the promotion of sustainable finance.

The Ministry of Economy, Trade, and Business published on its website the 'Green Book on Sustainable Finance in Spain' (*Libro Verde sobre Finanzas Sostenibles*) on 28 November 2024 (item ii of the evidence provided). The Green Book on Sustainable Finance includes several measures aimed at advancing the climate transition of businesses and directing the private sector's adaptation to the European sustainable finance framework.

In addition, the two following measures shall be completed:

i) Publication on the website of the Macroprudential Authority Financial Stability Board (AMCESFI) of the first edition of the Biennial Report on Climate Change Risks for the Financial System, in line with Article 33 of Law 7/2021 of 20 May on climate change and energy transition.

The Bank of Spain, the National Securities Market Commission, and the Directorate General for Insurance and Pension Funds, within the framework of the Macroprudential Authority Financial Stability Board (AMCESFI), drafted the first Biennial Climate Change Risk Report for the Financial System (2023, Number 1) and published it on the website of the Macroprudential Authority Financial Stability Board on 12 September 2023. The report has been published on the website of AMCESFI (item iii of the evidence provided).

Page 4 of the first Biennial Climate Change Risk Report for the Financial System (2023, Number 1) explicitly states that *"[t]he current Biennial Climate Change Risk Report for the Financial System has been prepared and published in accordance with the mandate established in Article 33 of Law 7/2021, of May 20, on Climate Change and Energy Transition."*

ii) Creation and entry in operation of a Sustainable Finance Council (including representatives from the public administration, financial supervisors, and the private sector) as a forum to promote public-private collaboration in the field of sustainable finance.

Ministerial Order ECM/44/2025, creating and regulating the Sustainable Finance Council (item iv of the evidence provided), was published on the Official Journal on 23 January 2025 and entered into force the day following its publication, in line with its single final provision.

Article 1 of Ministerial Order ECM/44/2025 establishes that "*[t]his ministerial order aims to create and regulate the Sustainable Finance Council as a collegiate body that will facilitate cooperation between public and private actors to address the challenges of the ecological transition, identify the opportunities offered by sustainable finance in Spain, identify and develop best practices to promote the transition towards a decarbonised, sustainable, and fair economy, and monitor the actions proposed in the Green Paper on Sustainable Finance in Spain*." Therefore, the Sustainable Finance Council is created as a forum to promote public-private collaboration in the field of sustainable finance.

Article 4(1) of Ministerial Order ECM/44/2025 regulates the composition of the Sustainable Finance Council as follows:

- The presidency, held by the head of the Ministry of Economy, Trade, and Business.
- The vice presidency, held by the head of the Secretary of State for the Environment.
- A maximum of 20 non-permanent members, appointed for renewable two-year terms, selected from individuals associated with the financial sector, the private sector, or the third sector, as well as independent experts of recognised prestige in sustainable finance.
- 13 ex officio members: 1) The head of the General Secretariat of the Treasury and International Financing under the Secretary of State for Economy and Business Support from the Ministry of Economy, Trade, and Business; 2) The head of the Directorate General for Economic Policy under the Secretary of State for Economy and Business Support from the Ministry of Economy, Trade, and Business; 3) The head of the Directorate General for Insurance and Pension Funds under the Secretary of State for Economy and Business Support from the Ministry of Economy, Trade, and Business; 4) The head of the Directorate General for Industrial Strategy and Small and Medium Enterprises under the Secretary of State for Industry from the Ministry of Industry and Tourism; 5) A representative from the Ministry of Housing and Urban Agenda with a rank of at least Director-General; 6) A representative from the Ministry for Ecological Transition and the Demographic Challenge with a rank of at least Director-General; 7) The head of the General Intervention Board of the State Administration; 8) The Governor of the Bank of Spain; 9) The head of the National Securities Market Commission; 10) The head of the Institute of Accounting and Auditing, O.A.; 11) The head of the Official Credit Institute, E.P.E.; 12) The head of the Spanish Development Financing Company, COFIDES, S.A., S.M.E., and 13) The Chief Executive Officer of ICEX Spain Export and Investment, E.P.E.

Article 4(1) of Ministerial Order ECM/44/2025, as well as the minutes of the Sustainable Finance Council's first meeting containing an attendance list of its members, confirm the representation of the three required categories, namely the public administration, the financial supervisors and the private sector.

The entry into operation of the Sustainable Finance Council is substantiated by the convening of its first meeting, which is analysed in the following requirement.

At its first meeting, the Sustainable Finance Council shall approve an action plan, with a timeline and target deliverables.

According to the minutes of the first meeting of the Sustainable Finance Council (item v of the evidence provided), which were signed by the Secretary of the Council and the Minister of Economy as Chair of the Council on 24 and 27 February 2025 respectively, the first meeting of the Sustainable Finance was held on 13 February 2025, where the action plan was approved. This action plan (item vi of the evidence provided) mandates the creation of seven different working groups related to: i) Sustainability Sandbox; ii) Knowledge repository and dissemination of best practices; iii) Sectoral guides to guide and boost the transformation of SMEs; iv) Green financial structures and products; v) Positive list of green projects; vi) Strengthening of the Financial Education Plan; and vii) Monitoring of the process of simplifying European sustainability regulations and their application in Spain. The action plan also mandates the creation of a reporting group focused on green bonds and a monitoring committee chaired by the Secretary of the Sustainable Finance Council. Each working group has specific deliverables to complete throughout the year 2025.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C11]-I[I3]-M[160], Interconnection of national public procurement platforms

Related Measure: ES-C[11]-I[I3], Modernisation of the General State Administration

Qualitative Indicator: Central and regional public administrations provide signed certificates confirming the functionalities of the platform.

Time: Q2 2023

1.Context:

Milestone 160 is part of Component 11: Modernisation of the General State Administration, which aims to improve digital public services provided to citizens and businesses, enhance the quality and efficiency of public procurement, and equip the administration with the necessary technological infrastructure.

Milestone 160 (Interconnection of national public procurement platform) consists of expanding interoperability (data exchange) between all existing public procurement platforms at both central and regional government levels. A minimum of 142 open data fields and 52 aggregated data fields should be established on the central government platform, increasing from 119 and 43 in January 2021, respectively.

Milestone 160 is the first milestone of investment 1 and it will be followed by target 161, related to award of projects supporting the digital transformation of the Central Public Administration and milestone 162, related to completion of projects supporting the digital transformation of the Central Public Administration.

2.Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. A link to the archive database for Tenders published on the Platform through aggregation mechanisms (*Plataforma mediante mecanismos de agregación, excluyendo los contratos menores*) on the Open Data Portal of the Ministry of Finance website, where information related to tenders published through aggregation mechanisms by public sector entities that do not have their contracting profile registered on the Public Sector Contracting Platform is published daily.

Link:https://www.hacienda.gob.es/es-ES/GobiernoAbierto/Datos%20Abiertos/Paginas/LicitacionesAgregacion.aspx

iii. A link to the archive database for Tenders published in the contracting profiles located on the Public Sector Contracting Platform (*Licitaciones publicadas en los perfiles del contratante ubicados en la Plataforma de Contratación del Sector Público, excluyendo los contratos menores*), on the Open Data Portal of the Ministry of Finance website, where information related to tenders

published by contracting authorities that have their contracting profile registered on the Public Sector Contracting Platform is published daily.

Link:https://www.hacienda.gob.es/es-ES/GobiernoAbierto/Datos%20Abiertos/Paginas/LicitacionesContratante.aspx

iv. A full list (as excel spreadsheet) of the open data fields and aggregated data fields in the central government platform associated to these new functionalities, indicating categories describing data fields, including their ID, name, description, openness, aggregation level, introduction timing and date, visibility in the OpenPLACSP application, and where the field is located.

3.Analysis:

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

Further interconnection (exchange of data) between all existing public procurement platforms (central and regional government): at least 142 open data fields. Baseline: Number of open data fields in the central government platform in January 2021: 119 (open data fields).

The objective of this action is to expand the number of data fields available in the open data sets on public procurement published on the open data portal of the Ministry of Finance (see point iii of the evidence provided). In this context, an open data field refers to a specific data category within a public procurement platform that is accessible in a structured, machine-readable format and can be freely used, shared, and reused to facilitate interoperability and data exchange between central and regional government procurement systems. In other words, an open data field is a piece of information in the public procurement system - such as contract ID, budget amount, or publication date - that is made available in a digital format that can be automatically read and processed by computer systems, helping different public bodies share and integrate data efficiently.

The verification methodology is based on Spain's publicly accessible online archive of its central procurement platform, the *Plataforma de Contratación del Sector Público*, which is updated daily. The relevant database is called *Licitaciones publicadas en los perfiles del contratante ubicados en la Plataforma de Contratación del Sector Público, excluyendo los contratos menores* (see point iii of the evidence). In accordance with the definition above, an open data field is considered opened once it is added to this archive, making it accessible and usable by other users. The verification process consisted of two steps: first, ensuring that the total number of open data fields (at least 142) and the specific data fields identified by Spain were indeed open; and second, confirming that at least 23 data fields had been opened after the cutoff date set in the requirement (January 2021), meaning they had been added to the procurement platform archives after that date.

To verify the first condition, Spain provided a table of data fields (see point iv of the evidence provided), field locations, and other indicators, which they identified as open and findable in the procurement platform archives. To assess compliance with the second condition, the list also included information on whether each data field had been opened before or after the cutoff date of January 2021.

Using a Python tool developed by Commission services, the verification process consisted of three main technical steps. First, the Commission services accessed the link provided by the authorities on 25 March 2025 to verify that the open data fields identified by Spain were indeed accessible in the online archive of the Plataforma de Contratación del Sector Público. This check was completed successfully, confirming that the Spanish authorities have made the open procurement data publicly accessible and machine-readable. Second, the Commission services selected an XML/ATOM archive dataset dated 29 January 2021 to represent the situation before the cutoff date. For each data field listed in Spain's table (see point iv of the evidence provided), Python scripts opened the XML file and read its contents into a structured format known as a tree, which makes it easier to explore the data step by step. The scripts also extracted all relevant XML namespaces, ensuring that the search for tags would work correctly even if the tags used different prefixes in different files. Third, using the specific XPATH code for each field, which was provided by Spain in its table (see point iv of the evidence provided), the scripts searched through the XML tree to determine whether the expected piece of information actually existed in the file at that time. In cases where the verification depended on additional details—for example, checking that a particular tag had an attribute like "schemeName" set to a specific value—the scripts also tested these conditions to make sure the right data was being identified. The same verification process was then repeated using an XML/ATOM archive dataset from a later date (31 January 2024), again using the XPATH location code in Python.

Once both sets of checks were complete, the Python script generated results that were compiled into tables indicating, for each data field, whether it was found ("Yes") or not found ("No") in the XML datasets for both 2021 and 2024. These results were saved into an Excel file, providing a clear and easy-to-read side-by-side comparison that shows which data fields already existed in 2021 and which were newly added by 2024.

This methodology has made it possible to verify that the data fields identified as open in the procurement platform are indeed accessible and to confirm compliance with the quantitative requirements of the measure, specifically that the number of open data fields was 119 on 29 January 2021 and increase to 142 by 31 January 2024.

Further interconnection (exchange of data) between all existing public procurement platforms (central and regional government): at least 52 aggregated data fields in the central government platform. Baseline: Number of aggregated data fields in the central government platform in January 2021: 4 (aggregated data fields).

The objective of this action is to increase the number of data fields exchanged between regional procurement platforms and the central platform, i.e. the *Plataforma de Contratación del Sector Público*. This means that more detailed information about public procurement processes, which was previously only available in regional systems, is now being automatically transmitted and integrated into the central platform. Similar to the procedure applied to open data fields, the Spanish Ministry of Finance maintains a separate archive database for data shared through the aggregation mechanism (see point ii of the evidence provided), which is updated daily. In this context, aggregated data fields refer to specific data categories within the public procurement system that are compiled and exchanged between regional procurement platforms and the central Plataforma de Contratación del Sector Público through aggregation mechanisms (see point ii of the evidence provided).

The verification methodology is based on Spain's publicly accessible online archive of its central procurement platform, the *Plataforma de Contratación del Sector Público*, which is updated daily. Unlike open data fields, which may come directly from the central system itself, the open data sets that have been aggregated from regional procurement platforms are listed under the aforementioned separate database, namely *Licitaciones publicadas en la Plataforma mediante mecanismos de agregación, excluyendo los contratos menores*. In accordance with the definition above, a data field is considered aggregated once it is added to the archive database for *Licitaciones publicadas en la Plataforma mediante mecanismos de agregación*, thereby making it not only accessible and usable by other users but also indicating that the data originates from regional procurement platforms. Since this database exclusively compiles data from regional procurement platforms, the presence of a data field in this archive confirms that it has been transferred through the aggregation mechanism. Notably, virtually all aggregated data fields are also classified as open data fields.

The verification process consisted of two steps. First, it was verified that the total number of aggregated data fields reached at least 52 and that the specific data fields identified by Spain had indeed been aggregated. This was confirmed by checking their presence in the archive dataset containing data fields added through the aggregation mechanism. Second, it was ensured that at least nine data fields had been aggregated after the cutoff date established in the requirement, namely January 2021. This verification confirmed that these data fields had been transferred from the regional procurement platforms to the central procurement platform archives after that date, thereby becoming open and accessible.

To verify the first condition, Spain provided a table of aggregated data fields (see point iv of the evidence provided), including their names, field locations, and other indicators, which they identified as aggregated and findable in the procurement platform archives for aggregated data. To assess compliance with the second condition, the list also included information on whether each data field had been aggregated before or after the cutoff date of January 2021.

The verification process involved a technical analysis using a Python tool. First, the Commission services accessed the link provided by the authorities on 25 March 2025 to verify that the aggregated data fields claimed by Spain were indeed accessible in the online archive of the Plataforma de Contratación del Sector Público. This check was completed successfully, confirming that Spain has ensured public availability of aggregated procurement data and that these data fields originate from regional procurement platforms and are integrated into the central archive. Second, the Commission services selected an XML/ATOM archive dataset dated 29 January 2021 to represent the situation before the cutoff date. For each data field listed in Spain's table (see point iv of the evidence provided), the Python scripts loaded and parsed these XML files into structured data trees and extracted the relevant XML namespaces so that each element could be correctly located, even if different files used varying namespace prefixes. Third, using the XPATH location code of the data field, the scripts checked whether the data fields claimed to be aggregated by January 2021 were indeed present in the dataset. For fields involving attribute filters—for example, checking that a certain attribute like "schemeName" equals a particular value—the scripts performed these additional checks to confirm precise matches.. The same verification process was then repeated using an XML/ATOM archive dataset from a later date (31 January 2024), again using the XPATH location code in Python.

The outputs from this analysis were compiled into tables showing, for each aggregated data field, whether it was found ("Yes") or not found ("No") in the datasets from both 2021 and 2024. These tables were exported into Excel, creating a clear, side-by-side comparison that makes it easy to see how the number and type of aggregated data fields have evolved over time.

This methodology has made it possible to verify that the data fields identified as aggregated in the procurement platform are indeed accessible, originate from regional procurement platforms (thus qualifying as aggregated), and to confirm compliance with the quantitative requirements of the measure, specifically that the number of aggregated data fields increased from 42 in January 2021 to 52.

Furthermore, in line with the description of the measure, the investment shall undertake "**The actions under the investments in C11.I1 and C11.I3 are developed according to the same principles, with I1 targeting the central government, and I3 the regional and local authorities. The following shall be undertaken for all these entities:** [...] **b) smart operations and data governance, improving the quality and efficiency of public administration services (i.e. public procurement) including data flow, using smart automation technologies and digital infrastructures**".

The increased and automatised exchange of data flows across all existing digital public procurement platforms, along with the expansion of open data fields in the central public procurement platform, contributes to a greater volume and improved quality of information on public contracts, thereby improving the quality of the public administration services. Before users had to consult various different regional procurement platform to retrieve the wealth of information that they are not able to access through a centralized and synchronized system, while maintaining the accessibility through regional platforms. Moreover, ATOM/XML aggregation files enable automated and structured procurement data exchange, ensuring updates occur without manual intervention. When procurement records are published on a designated web address, they can be automatically retrieved by the central platform, maintaining a consistent and structured data flow. The increase in aggregated data benefits tenderers, contracting authorities, oversight bodies, and citizens alike. In the digital era, electronic procurement represents one of the most critical applications of information technology in public administration. It plays a key role in modernisation efforts, generating substantial economic and managerial benefits by reducing the costs associated with public procurement processes.

The Public Sector Contracting Platform (*Plataforma de Contratación del Sector Público,* PLCSP) has implemented smart automation technologies that extend beyond simply replacing human intervention. To enhance efficiency, the PLCSP has developed an aggregation mechanism based on the ATOM standard, allowing procurement records to be regularly published on a designated web address and automatically retrieved by the platform. This ensures a structured and automated exchange of procurement data, improving data governance and streamlining processes.

4.Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C11]-I[I2]-M[163], Further developing health information systems

Related Measure: C11.I2 - Specific projects to digitalise the central government

Qualitative Indicator: Official notice of work completion

Time: Q2 2023

1. Context:

Milestone 163 is part of Component 11, Investment 2: Specific projects to digitalise the central government, which aims at a more generalised adoption of digitalisation and development of digital services across the public administration.

Milestone 163 concerns the further development of the functionalities of the following core applications and health information systems: (1) *'Historia Clínica Digital del Sistema Nacional de Salud' (HCDSNS)*; (2) *'Receta Electrónica' (RESNS)*; and (3) *'Registro de Profesionales Sanitarios (REPS)*.

Milestone 163 is the first milestone of the investment. It follows the completion of target 164, related to the digitalisation of the judicial system and it will be followed by target 165 related to the publication in the official journal or public procurement platform of the award of projects covering the following areas: digital transformation in the health sector; digital transformation of the administration of justice; digital transformation in terms of employment; digital transformation in terms of Inclusion, social security and migration; consular digitisation plan; digital transformation in other areas of the general state administration, and by milestone 166 related to the completion of projects awarded in line with target 165 (excluding those covered by milestone 163, target 164 and milestone 341).

The implementation of the investment has a final date for implementation on 31 December 2025.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision Annex) was satisfactorily fulfilled.
ii. A copy and link to Royal Decree 718/2024, of July 23, developing the basic organizational structure of the Ministry of Health. (Real Decreto 718/2024, de 23 de julio, por el que se desarrolla la estructura orgánica básica del Ministerio de Sanidad (BOE-A-2024-15213).
iii. Copy of the tender document for the procurement of core application development services of the Central Node of the National Health System' ('*Documento de licitación de servicios de desarrollo de aplicaciones core del Nodo Central del Sistema Nacional de Salud'*).
iv. Copy of the tender document for the procurement of core application development services of the Central Node of the National Health System and health information systems' (*Documento de licitación para la contratación de servicios de Desarrollo de aplicaciones core del Nodo Central del Sistema Nacional de Salud y sistemas de información sanitarios'*)
v. Copy of the contract between the Ministry of Health and Capgemini España SL from 28 June 2021.

vi. Copy of the contract between the Ministry of Health and Capgemini España SL from 26 February 2020
vii. Copy of the *'acta de recepción',* referring to a meeting between a representative of the Ministry of Health and a representative of Capgemini España SL on 17 December 2020.
viii. Copy of the *'acta de recepción',* referring to a meeting between a representative of the Ministry of Health and a representative of Capgemini España SL on 29 November 2022.

3. Analysis:

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

The central administration shall further develop the functionalities of the following core applications and health information systems: 1) *'Historia Clínica Digital del Sistema Nacional de Salud' (HCDSNS).*

According to Article 3 (1) of the Royal Decree 718/2024 of July 23, which has set up the basic structure of the Ministry of Health, the Directorate General for Digital Health and Information Systems for the National Health System is the body responsible for the development of digital public services, the promotion of digital health and the electronic interoperability of clinical and health information, both at the national and international levels, as well as innovation in data analytics and the use of health-related information. The transfer of healthcare responsibilities to the Autonomous Communities led the ministry to adopt a new role in which technology became a key factor in enabling the coordination and integration of the Autonomous Communities into the National Health System and its various information systems.

The HCDSNS is an information system aimed at sharing information concerning a patient's medical history outside their Autonomous Community. It allows for access to clinical information necessary for unscheduled treatment of a citizen in a health service other than their own in a standardised electronical format. The 'tender document for the procurement of core application development services of the Central Node of the National Health System' (hereinafter 'tender document 1', see also point iii of the evidence provided) and the 'tender document for the procurement of core application development services of the Central Node of the National Health System and health information systems' (hereinafter tender document 2, see also point iv of the evidence provided) specify the content of the works contributing to the further development of the functionalities of the HCDSNS.

Clause 1.1 of tender document 1 and clause 1.1 of tender document 2 describes the purpose of the respective contract to be, among other things, the development of new functionalities and evolutionary development of the HCDSNS. Clause 3.1.C of tender document 1 provides further details of the works related to the HCDSNS and specifies tasks aimed at, among other things, facilitating the retrieval of data from the Health Insurance Card System, increasing the usability of the system for functional auditors, citizens and the Ministry of Health, and several actions aimed at the synchronisation with other data sources. Clause 3.1.C of tender document 2 specifies tasks aimed at, among other things, a Covid-19 vaccination report, functionalities for professionals related to allergy indicators and accessibility, and mobile accessibility for citizens.

The contract between the Ministry of Health and Capgemini España SL from 28 June 2021 (hereinafter contract 1, see also point (v) of the evidence provided), the contract between the Ministry of Health and Capgemini España SL from 26 February 2020 (hereinafter contract 2, see also point (vi) of the evidence provided), the *'acta de recepción',* referring to a meeting between a representative of the Ministry of Health and a representative of Capgemini España SL on 17 December 2020 (hereinafter *'acta de recepción'* 1, see also point (vii) of the evidence provided), and *'acta de recepción',* referring to a meeting between a representative of the Ministry of Health and a representative of Capgemini España SL on 29 November 2022 (hereinafter *'acta de recepción'* 2, see also point (viii) of the evidence provided) provide evidence of the completion of the works described in tender document 1 and tender document 2. In particular, contract 1 awards the tender referred to and described in tender document 1 to Capgemini España SL. *'Acta de recepción'* 1 confirms that the works referred to in contract 1, i.e. those related to the core application development of the Central Node of the National Health System, have been completed. Contract 2 awards the tender referred to and described in tender document 2 to Capgemini España SL. *'Acta de recepción'* 2 confirms that the works referred to in contract 2, i.e. those related to the core application development of the Central Node of the National Health System and Health Information Systems, have been completed. Therefore, *'acta de recepción'* 1 and *'acta de recepción'* 2 confirm that the works related to the further development of the HCDSNS have been completed.

The central administration shall further develop the functionalities of the following core applications and health information systems: 2) *'Receta Electrónica' (RESNS).*

The RESNS is an information system allowing pharmacies to dispense medication that has been prescribed in another autonomous community using the Ministry of Health's Central Node of the National Health System as a link between the different clinical history systems in the Autonomous Communities. Tender document 1 and tender document 2 specify the content of the works contributing to the further development of the RESNS.

Clause 1.1 of tender document 1 and clause 1.1. of tender document 2 describe the purpose of the respective contract to be, among other things, the development of new functionalities and evolutionary development of the RESNS. Clause 3.1.B of tender document 1`provides further details of the works related to the RESNS and specifies tasks aimed at, among other things, notifications to administrators of Autonomous Communities when they are registered/de-registered in the system, various functions related to magistral formulas, the integration of the Medicines Agency (AEMPS), and the creation of a knowledge map for regional governments to consult the characteristics related to prescribing/dispensing in their territory. Clause 3.1.B of tender document 2 specifies a task aimed at the development of an automatic communication system between the autonomous communities, AEMPS and RESNS for the management of magistral formulas.

Contract 1 awards the tender referred to and described in tender document 1 to Capgemini España SL. *'acta de recepción'* 1 confirms that the works referred to in contract 1, i.e. those related to the core application development of the Central Node of the National Health System, have been completed. Contract 2 awards the tender referred to and described in tender document 2 to Capgemini España SL. *'acta de recepción'* 2 confirms that the works referred to in contract 2, i.e. those related to the core application development of the Central Node of the National Health System and Health Information

System, have been completed. Therefore, *'acta de recepción'* 1 and *'acta de recepción'* 2 confirm that the works related to the further development of the RESNS have been completed.

The central administration shall further develop the functionalities of the following core applications and health information systems: 3) *'Registro de Profesionales Sanitarios (REPS)'.*

The REPS is an information system to facilitate the planning of the needs of health professionals in the National Health System, to coordination HR policies of the National Health System, and to allow for the consultation of data on health professionals. It thereby incorporates data from health professionals and provides public data. Tender document 2 specifies the content of the works contributing to the further development of the REPS.

Clause 1.1 of tender document 2 describes the purpose of the contract to be, among other things, the development of new functionalities and evolutionary development of the REPS. Clause 3.1.Q provides further details of the works related to the REPS and specifies tasks aimed at, among other things, the ability to register university or VET degrees, the ability to add health centres, services and establishments not under the control of the Autonomous Community or privately run, the removal of retired, unemployed or emigrated professionals, and the update of civil liability insurance of all professionals with a single report.

Contract 2 awards the tender referred to and described in tender document 2 to Capgemini España SL. *'acta de recepción'* 2 confirms that the works referred to in contract 2, i.e. those related to the core application development of the Central Node of the National Health System and Health Information System, have been completed. Therefore, *'acta de recepción'* 2 confirms that the works related to the further development of the HCDSNS have been completed.

In line with the description of the measure **the investment shall further develop the functionalities of the health information systems, as well as promote data-analytics.**

The evidence related to the development of the functionalities of the already existing health information systems HCDSNS, RESNS, and REPS, which are described in clause 2.2 and 2.3 of tender document 1 as well as clause 2.2., 2.3, and 2.17 of tender document 2, provide for the development of various new functionalities of the three systems in question. This evidence includes tender document 1 and 2, fully describing the scope of the works to be completed, contract 1 and 2, demonstrating the obligation of the tenderer to complete the described works, as well as *'acta de recepción'* 1 and 2, demonstrating that the works have been completed. Therefore, the works related to the further development of the HCDSNS, RESNS, and REPS as described in the two tender documents have been completed. The new functionalities of the core applications HCDSNS, RESNS, and REPS have boosted data analytics capabilities by enabling real-time collection and exchange of structured health data. Tools like the enhanced data retrieval in HCDSNS described in clause 3.1.C of tender document 1 or the provision of information related to the prescription/dispensing of medication to regional governments help track trends described in clause 3.1.b of tender document 1, improve decision-making, and support predictive analytics at both national and regional levels.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C12]-I[I3]-T[442], Distribution of grants for the implementation of waste implementation projects

Related Measure: ES-C[12]-I[I3], Plan to support the implementation of waste legislation and the promotion of the circular economy

Quantitative Indicator: EUR million

Baseline: 0

Target: 300

Time: Q2 2023

1. Context:

Target 442 is part of investment C12.I3, which aims to foster the circular economy and support the implementation of waste legislation. This is achieved by financing projects which aim to implement the national waste regulation framework and achieve EU objectives, and by financing innovative circular economy projects in the private sector.

Target 442 requires the Spanish authorities to approve the territorial distribution of EUR 300 million in grants to the Autonomous communities for projects implementing waste legislation, either through the Agreement of the Sectoral Conference on the Environment or through the approval of direct grants in line with the General Law on Subsidies 38/2003. These projects consist of actions to implement and improve systems for separate collection of waste, investments in collection points to improve recycling, and the construction of new separately collected waste treatment plant.

Target 442 is the first step of the implementation of the investment, and it will be followed by target 187, related to the completion of projects to support the implementation of waste legislation and promote the circular economy in the enterprise, target 188, related to the construction of new treatment capacity for separately collected waste, and target 443, related to the completion of projects in waste management.

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

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. The Agreement of the Sectoral Conference on the Environment of 26 July 2024 approving the allocation criteria and territorial distribution of grants, hereinafter referred to as 'the Agreement'.

iii. The Agreement of the Sectoral Conference on the Environment of 31 January 2025 amending the 2024 Sectoral Conference on the Environment Agreement on the plan to support the

implementation of waste legislation, investment 3 under component 12 of the Recovery and Resilience plan, hereinafter referred to as 'the Agreement amending the 2024 Agreement'.

iv. Resolution issued by the Secretary of State for the Environment on 1 August 2024, by delegation of the Minister for the Ecological Transition and the Demographic Challenge, formalising the financial commitments with the Autonomous Communities derived from the plan to support the implementation of waste legislation, within the framework of the Recovery, Transformation, and Resilience Plan for the fiscal year 2024, charged to budget application 23.50.45LC.755.02 of the General State Budgets.

v. The link to the website of the Ministry for the Ecological Transition and the Demographic Challenge where the Agreements of the Sectoral Conference on the Environment are published.

Link: https://www.miteco.gob.es/es/calidad-y-evaluacion-ambiental/temas/prevencion-y-gestion-residuos/acuerdos-conferencia-sectorial.html

vi. Law 7/2022, of 8 April, on waste and contaminated soil for a circular economy (*Ley 7/2022, de 8 de abril, de residuos y suelos contaminados para una economía circular*), published in the national Official Journal *(Boletín Oficial del Estado*), No. 85, of 9 April 2022 and entered into force on 10 April 2022 (hereinafter referred to as 'Law 7/2022').

3. Analysis:

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

Approval of the Agreement of the Sectoral Conference on the Environment approving the allocation criteria and territorial distribution of grants, or approval of direct grants in line with the General Law on Subsidies 38/2003.

The Agreement of the Sectoral Conference on the Environment approving the allocation criteria and territorial distribution of grants, hereinafter referred to as 'the Agreement', was approved by the Sectoral Conference on the Environment on 26 July 2024 (point ii of the evidence provided) and was published on the website of the Ministry for the Ecological Transition and the Demographic Challenge (point v of the evidence provided). Section 7 of the Agreement (point ii of the evidence provided, pages 8 to 10) establishes the allocation criteria, while section 8 (pages 11-12 of the Agreement) establishes the territorial distribution of the grants. No direct grants were approved.

Goal: EUR 300 million.

Section 4 of the Agreement (point ii of the evidence provided, page 4) stipulates that the budget allocation is EUR 300 million. Section 8 of the Agreement (page 11) provides that the entire budget allocation of EUR 300 million is allocated to the Autonomous Communities. Section 11 of the Agreement, titled "Transfer and allocation of funds" (page 14) stipulates that the financial commitments shall be formalised by a Resolution of the Secretary of State for the Environment, by delegation of the Minister for the Ecological

Transition and the Demographic Challenge. The "Resolution formalising the financial commitments with the Autonomous Communities derived from the plan to support the implementation of waste legislation, within the framework of the Recovery, Transformation, and Resilience Plan for the fiscal year 2024, charged to budget application 23.50.45LC.755.02 of the General State Budgets" was issued by the Secretary of State for the Environment on 1 August 2024, by delegation of the Minister for the Ecological Transition and the Demographic Challenge (point iv of the evidence provided). Through this Resolution, EUR 300 million of grants are allocated to the Autonomous Communities from the specified State budget line 23.50.45LC.755.02.

In line with the description of the measure, **the measure shall also include the distribution of funds to the Autonomous Communities for projects implementing waste legislation, to be agreed and approved in a Sectoral Conference or through direct grant in line with the General Law on Subsidies 38/2003, by the end of 2024.**

The Council Implementing Decision states that "the measure shall also include the distribution of funds to the Autonomous Communities for projects implementing waste legislation". The description of the relevant target in the Council Implementing Decision however requires "the approval of the Agreement of the Sectoral Conference on the Environment approving the allocation criteria and territorial distribution of grants, or approval of direct grants in line with the General Law on Subsidies 38/2003". In this regard, Spain's recovery and resilience plan provided that "the strengthening of investment C12.I3 is reflected by increasing by €300 million the allocation to the Autonomous Communities from 2024 onwards (either through allocation by Agreement of the Sectoral Conference, or through direct grants in line with the General Law on Subsidies) for the implementation of waste legislation". In light of the contextual interpretation of this requirement from the Council Implementing Decision, it is interpreted that this requirement calls for the allocation of funds to the Autonomous Communities for projects implementing waste legislation, to be agreed and approved in a Sectoral Conference or through direct grant in line with the General Law on Subsidies 38/2003, by the end of 2024. As explained above, the Agreement of the Sectoral Conference on the Environment approving the allocation criteria and territorial distribution of grants was approved by the Sectoral Conference on the Environment on 26 July 2024. Section 8 of the Agreement (pages 11-12) allocates the grants to the Autonomous Communities. As such, the measure includes the allocation of funds to the Autonomous Communities for projects implementing waste legislation, agreed and approved in a Sectoral Conference by the end of 2024. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

(...) relating to the Plan to support the implementation of waste legislation 2024 for the financing of projects aimed at implementing the national waste regulation framework and achieving EU objectives.

The Agreement (point ii of the evidence provided) relates to the Plan to support the implementation of waste legislation: section 2 of the Agreement (page 4) provides that the Agreement implements the 'Plan to support the implementation of waste legislation'.

The typology of projects financed under the Agreement contribute to implementing the national waste regulation framework, in particular Law 7/2022, of 8 April, on waste and contaminated soil for a circular economy, hereinafter referred to as 'Law 7/2022' (point vi of the evidence provided). The purpose of Law 7/2022 is to prevent and reduce the generation of waste and the negative impacts of its generation (Article

1). Under Law 7/2022, competent authorities are required to ensure waste is directed towards reuse, recycling, or other recovery operations (Article 24 (1), must promote activities to prepare for re-use (Article 24 (2) and high-quality recycling (Article 24 (3). Pursuant to Article 25 (2) of Law 7/2022, in order to facilitate preparation for reuse and high-quality recycling in accordance with Articles 24 (2) and 24 (3), local authorities must establish separate collection systems for at least paper, metals, plastics, glass, bio-waste, textiles, cooking oils, hazardous waste, bulky waste, and other waste fractions determined by regulation.

The projects financed under the Agreement contribute to implementing Law 7/2020, and in particular its Articles 24 and 25, as projects (i) introducing and improving new separate waste collections, (ii) building specific facilities for the treatment of separately collected bio-waste (iii) and new preparation facilities for re-use and recycling for other separately collected waste streams, (iv) and investing in collection and sorting facilities, can be financed (pages 6 and 12 in sections 6 and 9 of the Agreement, point ii) of the evidence provided). The projects that can be financed under these four lines of actions can be, for example, projects for separating and recycling bio-waste at the source (annex 2, titled 'technical requirements of the projects that can be financed', pages 37 and 38), projects for the implementation or improvement of the separate collection of used cooking oil (annex 2, pages 38 and 39), *etc*.

Furthermore, section 5 on page 5 of the Agreement specifies that the purpose of the funds is to accelerate the investments needed to improve waste management in Spain and to ensure compliance with the new EU objectives for the management of municipal and packaging waste. In particular, the Agreement refers to the EU "preparing for re-use and recycling targets of municipal waste", which will be increased to a minimum of 55%, 60% and 65% by 2025, 2030 and 2035 respectively, and to the European "recycling targets for packaging and packaging waste" set for 2025 and 2030, in general and by material.

The projects shall consist of actions to implement and improve systems for separate collection of waste, investments in collection points to improve recycling, and the construction of new separately collected waste treatment plant.

Section 6 of the Agreement (point ii of the evidence provided, page 6), titled "objective and purpose of funding", and section 9 (page 12 of the Agreement), titled "actions to be financed and conditions to be met" provide that the projects submitted by the Autonomous Communities must fulfil several requirements to be financed. Pages 6 and 12 in sections 6 and 9 of the Agreement both establish that the projects must fall within one of the following lines of actions:

- Line 1: introduction of new separate waste collections, especially bio-waste, and improvement of existing ones.
- Line 2: construction of specific facilities for the treatment of separately collected bio-waste.
- Line 3: construction of new preparation facilities for re-use and recycling for other separately collected waste streams.
- Line 4: investments related to collection facilities (such as clean points) and sorting facilities (packaging, paper, etc.).

Line 1 corresponds to (i) actions to implement and improve systems for separate collection of waste. Line 4 corresponds to (ii) investments in collection points to improve recycling. Lines 2 and 3 correspond to (iii) the construction of new separately collected waste treatment plant. In total, 60 projects are being funded, as stated in annex 1 (pages 26 to 32 of the Agreement).

In line with the description of the measure, **in order to ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the eligibility criteria contained in terms of reference for upcoming calls for projects shall exclude the following list of activities: (i) activities related to waste landfills, incinerators and mechanical biological treatment plants and (ii) activities where the long-term disposal of waste may cause harm to the environment. For waste collection vehicles, waste processing machinery and complementary equipment, the best available technology with the lowest environmental impact in the sector shall be used. The terms of reference shall additionally require that only activities that comply with relevant EU and national environmental legislation may be selected.**

The Agreement amending the 2024 Agreement (pages 12 to 17 in point iii of the evidence provided) was approved by written procedure on 31 January 2025 and was published on the website of the Ministry for the Ecological Transition and the Demographic Challenge (point v of the evidence provided). The Agreement amending the 2024 Agreement stipulates that it is necessary to adapt the exclusion list concerning the application of the DNSH principle following the modification of the CID on 20 December 2024 (page 13, paragraph 1). The Agreement amending the 2024 Agreement replaces the seventh subparagraph of the section "Objective and purpose of the funding" of the Agreement, which now provides that the following activities will be excluded from funding: (i) activities related to waste landfills, incinerators[13] and mechanical biological treatment plants[14] and (ii) activities where the long-term disposal of waste may cause harm to the environment. It also stipulates that for waste collection vehicles, waste processing machinery and complementary equipment, the best available technology with the lowest environmental impact in the sector will be used and that the terms of reference must additionally require that only activities that comply with relevant EU and national environmental legislation may be selected (page 13 and 14 in point iii of the evidence provided). Annex 2, related to the technical requirements of the projects that can be financed, was also updated to reflect the CID modification regarding the application of the DNSH principle (pages 14 to 17 of the Agreement amending the 2024 Agreement).

4. Commission Preliminary Assessment:

Satisfactorily fulfilled

[13] This exclusion does not apply to actions under this measure in plants exclusively dedicated to treating non-recyclable hazardous waste, and to existing plants, where the actions under this measure are for the purpose of increasing energy efficiency, capturing exhaust gases for storage or use or recovering materials from incineration ashes, provided such actions under this measure do not result in an increase of the plants' waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level.

[14] This exclusion does not apply to actions under this measure in existing mechanical biological treatment plants, where the actions under this measure are for the purpose of increasing resource efficiency or retrofitting to recycling operations of separated waste to compost bio-waste and anaerobic digestion of bio-waste, provided such actions under this measure do not result in an increase of the plants' waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level.

Number and name of the Milestone: ES-C[C13]-R[R2]-M[451], Entry into force of the amendment to Law 14/2013 of 27 September on support for entrepreneurs and its internationalisation

Related Measure: ES-C[13]-R[R2], Strategy Spain Entrepreneurial Nation

Qualitative Indicator: Provision in the amendment of the law indicating the entry into force of the relevant provisions

Time: Q4 2023

1. Context:

The objective of this measure is to promote the Spanish Entrepreneurship Strategy. The reform includes a start-up law to support innovative businesses, the NEXT-TECH fund to scale disruptive technology start-ups, and the review of the migration regime to attract talent and address skill shortages.

Milestone 451 requires the entry into force of the relevant provisions of the amendment to Law 14/2013 of 27 September on support for entrepreneurs and its internationalisation in line with the description of the measure. Specifically, the amendment is required to facilitate the recruitment of foreign nationals with very specific skills and competences through a simpler and more flexible procedure than the standard one, notably to introduce a new migration scheme for digital nomads, new innovation criteria for granting residence and work permits for entrepreneurs, the extension of the scope of the national migration scheme for highly qualified professionals to SMEs and holders of higher VET certificates, as well as longer validity periods and a simplification of the procedures for residence and work permits compared to those of Law 14/2013 before the amendment.

Milestone 451 is the third and last milestone of the reform, and it follows the completion of milestone 450 and of milestone 192, related to entry into force of Royal Decree 629/2022 of 26 July amending the regulation of Organic Law 4/2000 on the rights and freedoms of foreigners in Spain and their social integration and the entry into force of the Start-ups Law, respectively.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Law 11/2023 of 8 May 2023, published in the national Official State Journal (*Boletín Oficial del Estado*) No. 110 on 23 October 2024, approving the transposition of European Union directives and the introduction of amendments to Law 14/2013, of 27 September, on support for entrepreneurs and their internationalisation, which entered into force on 10 May 2023 (hereinafter referred to as “Law 11/2023”).

iii. Law 14/2013 of 27 September 2013, published in the national Official State Journal (*Boletín Oficial del Estado*) No. 223 on 28 September on Support for Entrepreneurs and their Internationalization, which entered into force on 29 September 2013 (hereinafter referred to as “Law 14/2013”).

iv. Law 28/2022 of 21 December, published in the Official State Gazette (*Boletín Oficial del Estado*) No. 306 on 22 December, on the Promotion of the Ecosystem for Emerging Companies, which entered into force on 23 December 2022 (hereinafter referred to as "Law 28/2022").

3. Analysis:

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

Entry into force of the relevant provisions of the amendment to Law 14/2013 of 27 September on support for entrepreneurs and its internationalisation in line with the description of the measure.

The amendments introduced by Laws 11/2023 have all entered into force. Law 11/2023 (point ii of the evidence provided) was published in the national Official Journal on 8 May 2023 and entered into force on 10 May 2023, as stipulated in its eighteenth final provision. This law modifies Articles 61, 62, 71, 71 bis 73, 74, 76, and additional provision 20 of Law 14/2013, while Article 22 is amended with effect from 29 May 2023.

Law 28/2022 of 21 December 2022 also introduces amendments aligned with the milestone requirements as detailed below, which complements Law 11/2023. It entered into force the 23 December 2022, as stipulated in its thirteenth final provision.

Furthermore, in line with the description of the measure, **the amendment of the Law 14/2013 of 27 December, shall facilitate the recruitment of foreign nationals with specific skills and competences through a simplified and more flexible procedure than the standard one defined by regulation of Organic Law 4/2000.**

Law 28/2022 and Law 11/2023 modify Law 14/2013 in three ways that create a simplified and more flexible channel for hiring foreign nationals with specific skills, compared with the procedures of Organic Law 4/2000. First, final Provision 5.5 of Law 28/2022 amends Article 71 to broaden the Highly-Qualified Professional residence permit (*autorización de residencia para profesionales altamente cualificados*) to SMEs and holders of higher VET certificates, removing prior company-size and sector filters. Second, Article 32 (6)–(8) of Law 11/2023 folds the EU Blue Card (*Tarjeta Azul UE*) into the same framework as the national migration system under Section 2, Title V of Law 14/2013 and moves all Highly-Qualified Professional and Blue Card files to the Large Companies and Strategic Collectives Unit (*Unidad de Grandes Empresas y Colectivos Estratégicos*), replacing disparate provincial offices. Third, revised Article 76 of Law 14/2013 imposes a uniform 20-business-day decision limit for the issuance of the residence permit under Article 76 of Law 14/2013, supported by positive administrative silence and in-country filing, removing the previous 45-day (Blue Card) and variable provincial timelines. Together, these measures eliminate duplicate permits, shorten deadlines, widen eligibility, and deliver a lighter pathway for recruiting foreign specialists.

Furthermore, in line with the description of the measure, the amendment of Law 14/2013 shall introduce a new migration scheme for digital nomads, new innovation criteria for residence and work permits for entrepreneurs, the extension of the scope of the national migration scheme for highly qualified s to SMEs and holders of higher VET certificates, and longer validity periods and a simplification

of procedures for residence and work permits with respect to those in Law 14/2013 before the amendment.

i. Spain has introduced a previously non-existent **digital nomad migration scheme** through Law 28/2022, amending Law 14/2013 to regulate the entry and residence of international teleworkers. Specifically, the fifth final provision, section one of Law 28/2022 modifies Article 61 of Law 14/2013 on entry and stay for economic interest, introducing for the first time the possibility for international teleworkers (*teletrabajadores de carácter internacional*) to enter and reside in Spain. Additionally, the fifth final provision, section nine of Law 28/2022 incorporates a new and dedicated chapter V bis into section 2 of title V, adding Articles 74 bis, 74 ter, 74 quater, and 74 quinquies to Law 14/2013. These provisions define the conditions for obtaining a visa and residence permit as an international teleworker (digital nomad), detailing eligibility criteria, requirements, and permit duration. By establishing the legal status of non-EU nationals authorised to reside in Spain while working remotely for foreign companies using digital technologies, chapter V bis – international teleworkers adapts Spanish legislation to introduce a digital nomad migration scheme.

ii. Final Provision 5.4.3 of Law 28/2022 introduces several amendments to Law 14/2013, establishing **new innovation criteria for residence and work permits for entrepreneurs**. First, Article 70(1) modifies the criteria for defining an entrepreneurial activity. Under the previous version of the law, an entrepreneurial activity was required to be "innovative with special economic interest for Spain." The revised provision broadens this definition to include activities that are "innovative and/or having special economic interest for Spain," thereby expanding the scope of eligibility to innovative activities which do not have special economic interest for Spain. This amendment allows businesses that demonstrate significant economic interest for Spain, even if they do not meet the innovation criterion, to qualify under the entrepreneurial residence permit framework.

Further, the authority responsible for evaluating entrepreneurial activity, as set out in Article 70 of Law 14/2013 has been amended. Under the previous legal framework, the assessment of whether an activity qualified as an "entrepreneurial and business activity" was conducted by either the Economic and Commercial Office in the corresponding geographical area or the Directorate General for International Trade and Investments. However, the amended Article 70 centralises this competence under a single entity, *Empresa Nacional de Innovación, S.A*. (ENISA), a Spanish public entity responsible for financing innovative projects. As a result, the evaluation of entrepreneurial activity shall be conducted exclusively by ENISA, thereby streamlining the assessment process and ensuring that evaluations are carried out based on innovation-driven criteria, in line with ENISA's specific expertise in supporting and funding innovative enterprises.

Additionally, the requirements for business plans submitted by applicants under Article 70(2)(b) have also been modified. Previously, applicants were required to submit a comprehensive business plan detailing various aspects of the project, including its economic impact, market conditions, and financial viability. The amended Article 70(2)(b) significantly simplifies these requirements, now mandating only a general description of the project, a description of the product or service, and an outline of financing details, including the investment required and potential funding sources. This legislative amendment reduces administrative burdens for applicants, facilitating access to residence and work permits for entrepreneurs

by eliminating excessive bureaucratic requirements while maintaining essential project evaluation criteria.

Moreover, the amended law removes the explicit prioritization of job creation as a criterion for evaluating applications under Article 70(2). Under the previous legal framework, job creation was expressly mentioned as a key factor in the assessment process. However, the revised provisions no longer establish job creation as a mandatory priority. While job creation may still be considered in the evaluation, it is no longer a decisive factor in determining eligibility for an entrepreneurial residence permit. These amendments collectively align with the objective of establishing new innovation criteria for residence and work permits for entrepreneurs by streamlining the evaluation process, broadening the eligibility framework, reducing administrative burdens, and shifting the focus towards innovation and economic impact.

iii. Final Provision 5.5 of Law 28/2022 introduces several amendments to Article 71 of Law 14/2013, which **extend the scope of the national migration scheme for highly qualified professionals to SMEs and holders of higher VET certificates** . Under the previous version of Article 71, eligibility was limited to highly qualified professionals employed by large companies meeting specific financial and employment thresholds, professionals involved in business projects deemed of general interest, and graduates or postgraduates from prestigious universities and business schools. The amendment broadens the scope of eligibility to holders of higher vocational education and training (VET) certificates, by recognising non-university qualifications as sufficient grounds for residence authorization and by allowing access to professionals without formal higher education degrees but with demonstrable expertise.

Furthermore, the amendment eliminates restrictive company size and sectoral requirements. Under the previous version of Article 71, only companies meeting specific financial and employment thresholds, such as maintaining a workforce of at least 250 employees in Spain, generating an annual net turnover exceeding €50 million, or holding foreign investment stock above €3 million, could apply for highly qualified professional residence permits. Small and medium-sized enterprises (SMEs) were eligible only if they operated in a sector deemed "strategic" by the Directorate General for International Trade and Investments. The revised provision eliminates these conditions, allowing SMEs across all sectors to apply for residence permits for highly qualified professionals without the requirement of strategic sector classification. This legislative modification expands the scope of the national migration scheme, facilitating access to the Spanish labor market for a broader range of skilled foreign professionals and enhancing the flexibility of the residence authorization framework.

iv. Final Provision 5.5 of Law 28/2022 introduces an amendment to Article 71 of Law 14/2013, explicitly defining and de facto **extending the validity period of residence and work permits for highly qualified professionals**. Previously, Article 71 did not specify a duration, leading to ambiguity. In practice, Spain has clarified that the general rule set out in Article 67 of Law 14/2013, which establishes a two-year validity period for investors' residence permits, was applied by analogy to other residence authorisations under the law. This interpretation was further reinforced by Article 76(3), which governs authorisation procedures and states that residence permits could be renewed for additional two-year periods. The amendment incorporates Article 71(3), which now explicitly establishes that the initial residence authorization for highly qualified

professionals is valid for three years, or for the duration of the employment contract if shorter. This modification effectively extends the initial validity period for this category of workers from two to three years.

v. The 2023 amendment introduced by Law 11/2023 has **simplified the procedures for residence and work permits** by harmonising processing deadlines, centralising administrative management, and expanding applicant eligibility. These modifications, implemented through amendments to Law 14/2013, establish a uniform legal framework for highly qualified professionals, aligning both the EU Blue Card and the national residence permit under a single regulatory structure.

A simplification concerns the resolution deadlines for applications, as regulated under Article 76 of Law 14/2013. Before the amendment, Article 76 already established a 20-business-day resolution period for highly qualified professionals. However, this provision did not extend to the EU Blue Card, which was regulated separately under Article 88(5) of Royal Decree 557/2011, setting a 45-business-day processing time. This disparity resulted in inconsistent treatment of applicants. The 2023 amendment repealed Articles 85 to 96, including Article 88 of Royal Decree 557/2011, through Final Repeal Provision (Disposición Derogatoria Única.b) of Law 11/2023, effectively abolishing the separate procedural framework for the EU Blue Card. Furthermore, Article 32(6) of Law 11/2023 transposed the EU Blue Card Directive into Law 14/2013, integrating it into the existing regime for highly qualified professionals. As a result, Article 76 now establishes a uniform 20-business-day resolution period for all applications under Section 2 (International Mobility), removing procedural discrepancies. The reform also clarifies that residence authorisations for highly qualified professionals exist in two forms: a national permit, which has slightly lower qualification and experience requirements, and the EU Blue Card, both now regulated under the same legal framework unless explicitly distinguished in separate provisions.

Further simplification has been achieved by centralising application processing under a dedicated entity, the Large Companies and Strategic Collectives Unit (UGE-CE). This modification is established in Article 32(8) of Law 11/2023, which amends Article 74 of Law 14/2013. Before this reform, EU Blue Card applications were not handled by the UGE-CE despite its existence. Instead, under Article 88(1) of Royal Decree 557/2011, applications had to be submitted through the immigration offices of the province where the foreign national intended to work, resulting in fragmented and inconsistent processing. The 2023 amendment restructures this framework, transferring exclusive competence for processing EU Blue Card applications to the UGE-CE, as stipulated in Article 76(1) of Law 14/2013. This centralisation ensures greater efficiency, uniform decision-making, and reduced administrative burdens for both applicants and employers.

The reform also expands eligibility for submitting residence applications, granting both companies and foreign professionals the right to apply. Article 32(5) of Law 11/2023 amends Article 71 of Law 14/2013, eliminating the previous restriction that only employers could file applications. Before 2023, applications for both the EU Blue Card and the national residence permit for highly qualified professionals could only be submitted by the employer, as mandated under Article 88(1) of Royal Decree 557/2011 and Article 71(1) of Law 14/2013. The amendment removes this restriction, allowing foreign professionals to submit their own applications, thereby enhancing flexibility.

Beyond the streamlining of deadlines and centralisation of procedures, further procedural simplifications have been introduced through Final Provision 5.8 of Law 28/2022 and Article 32(9) of Law 11/2023, which amend and supplement Article 76 of Law 14/2013. The reform eliminates various administrative burdens by establishing positive administrative silence, meaning that applications are automatically approved if no decision is issued within the statutory deadline. It also removes the requirement that EU Blue Card applications be submitted from outside Spain, now allowing applicants to apply from within the country. Additional modifications include permitting registration with the Spanish social security system using only a passport, without requiring prior Spanish documentation, thereby facilitating quicker labor market access for highly qualified foreign professionals.

In summary, the requirement to simplify procedures for residence and work permits under Law 14/2013 has been fulfilled through the 2023 amendments introduced by Law 11/2023 and Law 28/2022. The reform eliminates discrepancies in processing times, reduces the EU Blue Card application timeline from 45 to 20 business days, and centralises procedures under a single administrative entity (UGE-CE). Additionally, it expands applicant eligibility, removes procedural barriers, and ensures greater efficiency and accessibility within Spain's migration framework for highly qualified professionals.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C13]-I[I2]-T[196], CERSA Guarantee

Related Measure: ES-C[13]-I[I2], Growth

Qualitative Indicator: EUR (million)

Baseline: 0

Goal: 1 000

Time: Q2 2023

1. Context

The objective of this investment is to promote SME growth. For this purpose, the investment foresees three actions: 1. Support to individual SMEs under the programme 'Skills for SME growth', which aims to provide companies with the necessary skills to grow and become more competitive, changing their business models and contributing to the twin transitions, 2. Financial support awarded to industrial projects developed by SMEs for new industrial facilities or expansion of existing ones, in the context of the Industrial Entrepreneurship Support Programme and 3. Improvement of access to finance for SMEs, by providing support in the form of financial, commercial and technical guarantees through a strengthening of Compañia Española de Reafianzamiento SME S.A. (CERSA).

Target 196 is related to the third action under this investment. The target provides that at least an amount of EUR 1 000 000 000 of guarantees is granted by CERSA allowing SMEs to obtain guarantees for long term investments and working capital.

Target 196 is the first target for the implementation of investment C13.I2. It is folloowed by targets 197 and 198, regarding actions contributing to the fulfilment of this investment. Target 197 is related to the first action under this investment, as described above. Target 198 is related to the second action under this investment, as described above.

2. Evidence provided:

i) Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii) Copies of three Orders of the Ministry of Industry, Commerce and Tourism by which the Ministry transfers the amounts of EUR 97 000 000, EUR 113 000 000 and 112 000 000 to CERSA for the years 2021, 2022 and 2023 respectively, for the purpose of contributions to the Technical Provisions Fund for the coverage of risks of self-employed workers and SMEs.
iii) Copies of the Agreements signed between CERSA and 18 mutual guarantee companies "*Sociedades de Garantía Recíproca"* (AFIGAL, ISBA, ELKARGI, SONAGAR, AFIN, SOGARCA, AVALMADRID, SOGARPO, AVALAM, ASTURGAR, AVALIA, EXTRAVAL, IBERAVAL, AVALIS, CREA, AVAL CASTILLA LA MANCHA, AVAL CANARIAS, GARANTIA) regarding the support contributed from CERSA to the SGRs for guarantees provided to SMEs and entrepreneurs for the years 2021

and 2022, and for the year 2023, as well as copy of the contract and the Addenda to the contract signed between CERSA and the "*Sociedad Anónima Estatal de Caución Agraria*" (hereinafter SAECA) regarding the support contributed from CERSA to the aforementioned SGRs for guarantees provided to SMEs and entrepreneurs

iv) Copies of the Addenda to the Agreements mentioned in point iii above, signed between CERSA and 18 SGRs (AFIGAL, ISBA, ELKARGI, SONAGAR, AFIN, SOGARCA, AVALMADRID, SOGARPO, AVALAM, ASTURGAR, AVALIA, EXTRAVAL, IBERAVAL, AVALIS, CREA, AVAL CASTILLA LA MANCHA, AVAL CANARIAS, GARANTIA)

v) A copy of the 2021 Guidance provided to SGRs by CERSA for assessing and complying with the eligible activities and assets in the RRP which meet the DNSH criteria

vi) A copy of the 2023 Guidance provided to SGRs by CERSA for assessing and complying with the eligible activities and assets in the RRP which meet the DNSH criteria

vii) A copy of the methodology to calculate the net risk supported by the RRF funds, agreed between the European Commission and the Spanish Authorities

viii) A copy of the Amendment Agreement to the Counter-Guarantee Agreement signed between CERSA and the European Investment Fund on 31 July 2023

ix) A copy of the Amendment and Restatement Agreement to the Counter-Guarantee Agreement signed between CERSA and the European Investment Fund on 11 July 2024

x) Copies of Loan Agreements signed between the beneficiaries and the bank providing the loan to the beneficiary (for financial guarantees), as well as copies of Guarantee Agreements signed between the beneficiaries and the SGR providing the guarantee (for financial and technical guarantees) for a sample of 60 units included in the spreadsheet mentioned in point xi below

xi) A spreadsheet containing information on 33 022 operations having received support from CERSA with RRP funding in the period 2021-2023. The spreadsheet includes the ID of the operation, the type of instrument covered, the beneficiary name, the amount of the financed loan or commercial or technical guarantee, the amount of the guarantee signed with the SGR, the counter-guarantee of CERSA, the strategic line assigned per operation (e.g. sustainability, digitalization, and growth and recovery), CERSA's counter-guarantee with the EIF, and the calculation of the weighted counter-guarantee for the purposes of compliance with the RRP objective.

xii) A Responsible Declaration signed by the Managing Director of CERSA stating that CERSA commits to reinvest any returns (i.e. interest on the loan, return on capital or principal repaid, less associated costs) for the same investment policy objectives

3. Analysis:

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

CERSA guarantee: At least an amount of EUR 1 000 000 000 of guarantees granted by CERSA allowing SMEs to obtain guarantees for long term investments and working capital.

According to Clause 2 of the first addendum to the Agreements signed between the Compañia Española de Reafianzamiento SME S.A. (hereinafter CERSA) and the Sociedades de Garantia Reciproca (hereinafter SGRs), (point iii of the evidence provided), CERSA provides long-term support through the counter-guarantee of guarantees provided to SMEs by the SGRs. In particular, CERSA facilitates the provision of financial guarantees, and certain non-financial, commercial and technical guarantees required of SMEs for

the financing and other commitments needed in the course of their business, as explained in more detail below.

According to ANNEX XVIII of the Agreements signed between CERSA and the SGRs (point iii of the evidence provided), the support provided by CERSA is covering a list of codes assigned to products benefiting from an SGR guarantee including financial guarantees, economic guarantees and technical guarantees. These products constitute long-term investments and working capital.

In addition, these operations are also counter-guaranteed by the European Union through guarantee programmes managed by the European Investment Fund ('EIF'). The possibility of combining these counter-guarantees with the RRP funds and the methodology of calculating the counter-guarantee on a transaction basis have been agreed with the Commission (point vii of the evidence provided). The final weighting of each transaction depends on the EIF contract or line to which the transaction is assigned and therefore depends on the coverage allocated by the EIF, and, where applicable, on the 'loss cap' applied by the EIF in each of them.

Following the selection of a random sample of 60 units, Spain submitted the following evidence:

i. Loan agreements signed between the beneficiary companies and financial institutions providing the loan for the corresponding operations (for financial guarantees), (point ix of the evidence provided)
ii. Guarantee agreements signed between the Mutual Guarantee Societies (SGRs) and the beneficiary companies confirming the provision of guarantees for the corresponding operations (for financial and technical guarantees), (point ix of the evidence provided)

Spain also submitted a spreadsheet containing information on 33 022 operations having received support from CERSA with RRP funding in the period 2021-2023 (point xi of the evidence provided). The spreadsheet includes the ID of the operations, the type of instrument covered, the beneficiary name, the amount of the financed loan or commercial or technical guarantee, the amount of the guarantee signed with the SGR, the counter-guarantee of CERSA, the strategic line assigned per operation (e.g. sustainability, digitalization, and growth and recovery), CERSA's counter-guarantee with the EIF, and the calculation of the weighted counter-guarantee for the purposes of compliance with the RRP objective. The sum of the counter guarantees provided to these 33 022 operations amounts to EUR 1 636 427.249.

In order to verify this amount, a sampling exercise was conducted. As provided in Clause 5.2 of the Agreements signed between CERSA and the SGRs (point iii of the evidence), CERSA confirms monthly to the SGR the support assigned to each of the transactions that have correctly submitted all the requested information and clarifications. Once the necessary checks have been made, CERSA classifies the operations as accepted and definitive in its IT system. In accordance with the annual reinsurance contract signed with the SGRs, CERSA sends to the SGRs, through its IT system and under the conditions reflected therein, a list of the reinsured operations indicating the percentage of coverage assigned to each of the operations that have all the correct information. The confirmation is sent before the last natural day of each month and will refer to the operations formalized in the previous month. The sending of accepted and definitive operations to the SGRs has contractual value. Therefore, the operations reflected in CERSA's IT system, which have a definitive character, must be considered to have a contractual character and reflect the awarding of reinsurance in the terms reflected in the IT system, including with regard to coverage. For a sample of 60 units, the IT system of CERSA was checked on the spot to verify the following elements: the name of the beneficiary as appearing in the loan agreement and/or the guarantee agreement, the NIF of

the beneficiary, the name of the bank providing the loan, the name of the SGR providing the guarantee, the amount counter-guaranteed by CERSA, the instrument under which the EIF is counter-guaranteeing the operation. The methodology to calculate the net risk supported by the RRF funds (point vii of the evidence provided) was then applied to the amount counter-guaranteed by CERSA to calculate the amount of the counter-guarantee counting towards the completion of the target, net of the EIF support.

The evidence provided for a sample of 60 units confirmed that the amounts counter-guaranteed by CERSA correspond to those of the operations as outlined in the spreadsheet (point xi of the evidence provided). On the basis of this assessment, we can conclude that a sum of EUR 1 636 427.249 of counter guarantees was provided, thus exceeding the target of EUR 1 000 000 000 of guarantees having been granted by CERSA allowing SMEs to obtain guarantees for long term investments and working capital by EUR 636 427.249.

The selection criteria shall ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) of supported transactions under this measure through the use of sustainability proofing, the use of an exclusion list, and the requirement of compliance with the relevant EU and national environmental legislation.

- The 2021 and 2022 Agreements signed between CERSA and the SGRs (point iii of the evidence provided) include the DNSH requirements as follows:
    - Section 5.1 of the Contrato de Reafianzamiento requires beneficiaries to comply with the DNSH principle as established in the responsible declaration in Annex II of the Contract.
    - Section 22 "Definitions" establishes that only those beneficiaries that sign the responsible DNSH self-declaration can be financed.
    - Annex II (responsible declaration):
        - Includes the DNSH exclusion list (section C)
        - Requires compliance with the Commission's technical guidance on sustainability proofing for the InvestEU Fund (section II.1)
        - Requires compliance with the relevant EU and national environmental legislation (section C)
- The 2023 Agreements signed between CERSA and the SGRs "Adenda PRTR al contrato de reafianzamiento", (point iii. of the evidence provided) require compliance with the DNSH principle as follows:
    - Section 3.2 "empresas elegibles" requires beneficiaries to comply with the DNSH principle as established in the responsible declaration in Annex II of the Contract.
    - Section 3.3 "Actividades Excluidas del apoyo del PRTR" includes the list of excluded activities in line with the measure description and excludes from eligibility those activities not compliant with the applicable environmental legislation
    - Annex II:
        - Includes the DNSH exclusion list (section C)
        - Requires compliance with the Commission's technical guidance on sustainability proofing for the InvestEU Fund (section II.1)
        - Requires compliance with the relevant EU and national environmental legislation (section C)

Furthermore, in line with the measure description, **improvement of access to finance for SMEs, by providing support in the form of financial, commercial and technical guarantees through a strengthening of Compañia Española de Reafianzamiento SME S.A. (CERSA). As part of this line of action, CERSA shall**

provide long term support through its counter-guarantee coverage to the Regional Mutual Guarantee Societies, backing the risk borne by them.

As mentioned above, according to Clause 2 of the First Addendum of the Agreements signed between CERSA and the SGRs (point iii of the evidence), CERSA provides long-term support through its counter-guarantee coverage to the Regional Mutual Guarantee Societies, backing the risk borne by them. In particular, CERSA facilitates the provision of financial guarantees, and certain non-financial, commercial and technical guarantees required by SMEs for the financing and other commitments needed in the course of their business.

Furthermore, in line with the measure description, **CERSA shall promote SMEs' competitiveness and resilience through three dedicated lines allowing access to long-term financing and working capital operations for actions under this investment in the area of: digitalization; sustainability; growth and recovery, (reinforcing resilience, mainly for SMEs affected by the COVID-19 pandemic, that are ready to undertake significant transformation and growth plans).**

According to Clause 5.1 of the Agreements signed between CERSA and the SGRs (point iii of the evidence provided), the areas within which CERSA is providing support are the following: (i) Sustainability, (ii) Digitalisation, (iii) Cultural and Creative Sectors, (iv) Agriculture, Livestock and Fisheries, (v) Commercial Monetary Guarantees, (vi) Eligible Non-Financial Guarantees, (vii) Growth and Recovery and (viii) Other Guarantees for Financing. The lines through which eligible operations can be funded, are stipulated in Annex XVIII of the Agreements (point iii of the evidence provided) and are lines supportinglong-term financing and working capital.

Furthermore, in line with the measure description, **in addition, in order to implement the financial guarantee instrument, an agreement must be drawn up between the Ministry responsible for investment and the implementing partner or the entrusted entity. The agreement shall detail the applicable state aid legal framework and obligations as well as the monitoring and reporting obligations of the guarantors and SMEs, including the need for SMEs to expressly authorise the Commission, OLAF, the European Court of Auditors and EPPO to carry out visits in the context of the controls or audits.**

The Council Implementing Decision required that, in order to implement the financial guarantee instrument, an agreement must be drawn up between the Ministry responsible for the investment and the implementing partner, or entrusted entity. Instead, in order to implement the financial guarantee instrument, Spain has published three Orders of the Ministry of Industry, Commerce and Tourism (point ii of the evidence provided) by which it entrusts to CERSA the power to implement the financial guarantee instrument (Fund of Technical Provisions) in order to cover risks of self-employed persons and SMEs. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the fact that the legal instrument used to implement the financial guarantee instrument is an Order does not affect the progress towards the achievement of the target.

The Council Implementing Decision also required that **the legal agreement between the Spanish authorities and the entrusted entity or the financial intermediary in charge of the financial instrument would have a subsequent investment policy**. Instead, Spain has submitted Agreements signed between CERSA and the SGRs (point iii of the evidence provided), where the relevant part of the requirements of the Council Implementing Decision, as outlined below, are stipulated. Whilst this constitutes a substantive

minimal deviation from the requirement of the Council Implementing Decision, it does not affect the progress towards the achievement of the target.

As of this, these two substantive minimal deviations do not change the nature of the measure and do not affect the progress towards achieving the investment that the target represents. On this basis, it is considered that these constitutive elements of the target are satisfactorily fulfilled.

Clause 8 of the Agreements signed between CERSA and the SGRS (point iii of the evidence provided) stipulates that the state-aid legal framework which applies to the operations counter-guaranteed by CERSA is the following:

- Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid.
- Commission Regulation (EU) No 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the agricultural sector.
- Commission Regulation (EU) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the fishery and aquaculture sector.

Clause 8 also provides that the SGR undertakes to inform the beneficiary company, at the time of formalization, that the guarantee operation, benefiting from CERSA's counter-guarantee, implies aid from CERSA and the gross grant equivalent corresponding to each operation in the model declaration set out in Annex I.1 of the Agreement, which must be duly completed and signed by the beneficiary company. In this declaration, the company supported must report any other de minimis or other aid that it would have received in accordance with the provisions of the declaration in order to verify whether it exceeds the permitted aid ceilings.

Clause 11 of the Agreements signed between CERSA and the SGRS (point iii of the evidence provided) provides that the SGR shall send CERSA a copy of: (i) the annual accounts audit report and the letter of recommendations, if issued by the external auditor, as well as the reports drawn up by the internal auditors, at CERSA's request, (ii) the information sent to the Bank of Spain and all written correspondence with the Bank of Spain, including any minutes issued, with any clarifications requested in this regard, (iii) the risk assessment and monitoring reports, (iv) the expert report provided for in Article 28 of Law 10/2010 of 28 April 1995 on the prevention of money laundering and terrorist financing, (v) any statutory amendment affecting the activity of the SGR and (vi) any change in the law on the prevention of money laundering and terrorist financing.

Clause 5 of the first addendum to the Agreements signed between CERSA and the SGRs (point iii of the evidence provided), provides that the RRP imposes on CERSA a number of obligations which must be transferred to the SGR and the beneficiaries. In this framework, the SGRs commit irrevocably to allow remote monitoring and monitoring visits by the European Commission, Commission officials, including the European Anti-Fraud Office ('OLAF'), the European Court of Auditors ('ECA') and the European Public Prosecutor's Office ('EPPO') of their business operations, books and registers.

Furthermore, in line with the measure description**, CERSA shall commit to reinvest any reflows (i.e. interests on the loan, return on equity, or principal repaid, minus associated costs) linked to the financial instrument would need to be reinvested for the same policy objectives, including beyond 2026.**

Spain has provided a Responsible Declaration signed by the Managing Director of CERSA (point xii of the evidence provided) stating that as regards the obligation to reinvest any return (i.e. interest on the loan, return on capital or principal repaid, less associated costs) related to the financial instrument, CERSA commits to reinvest such returns for the same investment policy objectives of the financial instrument even after the financial year 2026.

Furthermore, in line with the measure description, **in order to ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the legal agreement between Spanish authorities and the entrusted entity or the financial intermediary in charge of the financial instrument and the subsequent investment policy of the financial instrument shall i. require the application of the Commission's technical guidance on sustainability proofing for the InvestEU Fund; ii. exclude the following list of activities and assets from eligibility: (i) activities and assets related to fossil fuels, 15including downstream use[16;] (ii) activities and assets under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks[17;] (iii) activities and assets related to waste landfills, incinerators[18] and mechanical biological treatment plants[19]; and (iv) activities and assets where the long-term disposal of waste may cause harm to the**

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16 Except projects under this measure in power and/or heat generation, as well as related transmission and distribution infrastructure, using natural gas, that are compliant with the conditions set out in Annex III of the 'Do no significant harm' Technical Guidance (2021/C58/01)

17 Where the activity supported achieves projected greenhouse gas emissions that are not significantly lower than the relevant benchmarks an explanation of the reasons why this is not possible should be provided. Benchmarks 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.

18 This exclusion does not apply to actions under this measure in plants exclusively dedicated to treating nonrecyclable hazardous waste, and to existing plants, where the actions under this measure are for the purpose of increasing energy efficiency, capturing exhaust gases for storage or use or recovering materials from incineration ashes, provided such actions under this measure do not result in an increase of the plants' waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level.

19 This exclusion does not apply to actions under this measure in existing mechanical biological treatment plants, where the actions under this measure are for the purpose of increasing energy efficiency or retrofitting to recycling operations of separated waste to compost bio-waste and anaerobic digestion of bio-waste, provided such actions under this measure do not result in an increase of the plants' waste processing capacity or in an extension of the lifetime of the plants; for which evidence is provided at plant level.

environment; and iii. require the verification of legal compliance with the relevant EU and national environmental legislation of the projects by the entrusted entity/financial intermediary for all transactions, including those exempted from sustainability proofing.

As explained above, the requirement to comply with the DNSH principle through the application of the Commission's technical guidance on sustainability proofing for the InvestEU Fund, the exclusion list and the requirement to comply with the relevant EU and national environmental legislation, is included in the different contracts between CERSA and the SGRs.

The target is further specified in the Operational Arrangements, which requires that, **until the RRF target is satisfactorily achieved, should CERSA's support to SMEs benefit from other Union instruments, the contribution towards the EUR 1 000 000 000 target shall exclusively take into consideration the amounts of financial, commercial and technical guarantees that have been generated by the RRF contribution. This shall be calculated under an agreed methodology, distinguishing between amounts generated by the RRF and amounts generated by other Union instruments.**

As explained above, in order to verify that "at least an amount of EUR 1 000 000 000 of guarantees granted by CERSA", the Commission Serviceshave performed a sampling exercise assessing 60 units/operations from within the list of operations provided by the Spanish Authorities (point xi of the evidence provided). The contribution towards the EUR 1 000 000 target has been calculated under the agreed methodology as amended (points vii, viii and ix of the evidence provided).

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C13]-I[I2]-T[198], Entrepreneurs and SMEs supported by the Industrial Entrepreneurship Support Programme

Related Measure: ES-C[13]-I[I2], Growth

Qualitative Indicator: Number

Baseline: 0

Goal: 1 500

Time: Q2 2023

1. Context:

The objective of this investment is to promote SME growth. For this purpose, the investment consists of three actions: 1. Support to individual SMEs under the programme 'Skills for SME growth', which aims to provide companies with the necessary skills to grow and become more competitive, changing their business models and contributing to the twin transitions; 2. Financial support awarded to industrial projects developed by SMEs for new industrial facilities or expansion of existing ones, in the context of the Industrial Entrepreneurship Support Programme and 3. Improvement of access to finance for SMEs, by

providing support in the form of financial, commercial and technical guarantees through a strengthening of Compañia Española de Reafianzamiento SME S.A. (CERSA).

Target 198 is related to the second action under this investment. It concerns the financial support to be awarded to SMEs for at least 1 500 operations related to industrial investment projects under the Industrial Entrepreneurship Support Programme.

Target 198 is the third target one of the three targets concerning the implementation of investment C13.I2. Targets 196 and 197, are also regarding concerning actions contributing to the fulfilment of this investment. Target 196 is related to the third action under this investment, as described above. Target 197 is related to the first action under this investment, as described above.

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2. Evidence provided:

i) Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii) Order of the Ministry of Industry, Trade and Tourism of 20 December 2021, transferring EUR 15 000 000 to Compañia Española de Reafianzamiento SME S.A. (hereinafter CERSA) for the Industrial entrepreneurship Support Programme.
iii) Order of the Ministry of Industry, Trade and Tourism of 26 April 2023, transferring EUR 30 000 000 to CERSA for the Industrial entrepreneurship Support Programme.
iv) Order of the Ministry of Industry, Trade and Tourism of 21 July 2022, transferring EUR 30 000 000 to CERSA for the Industrial entrepreneurship Support ProgrammeCopy of the Order of the Ministry of Industry, Trade and Tourism transferring EUR 30 000 000 to CERSA for the Industrial entrepreneurship Support Programme.
v) Copies of 18 Agreements signed between CERSA and the mutual guarantee companies “Sociedades de Garantia Reciproca” (hereinafter SGRs) (ISBA, ELKARGI, SONAGAR, AFIN, SOGARCA, AVALMADRID, SOGARPO, AVALAM, ASTURGAR, AVALIA, EXTRAVAL, IBERAVAL, AVALIS, CREA, AVAL CASTILLA LA MANCHA, AVAL CANARIAS, GARANTIA, as well as copy of the contract and the Addenda to the contract signed between CERSA and the Sociedad Anónima Estatal de Caución Agraria (hereinafter SAECA) for the implementation of the Industrial Entrepreneurship Support Programme.
vi) Copies of the Addenda to the 18 Agreements mentioned in point v above, signed between CERSA and the SGRs for the implementation of the Industrial Entrepreneurship Support Programme.
vii) Copies of the Proof of Payment for 60 units/operations, communicated by CERSA to the SGR, certifying the payment of support for operations under the Industrial Entrepreneurship Support Programme
viii) Official Notifications for 60 units/operations, communicated by the SGR to the beneficiary company, certifying that the amount received by the SGR from CERSA covers costs related to the operation realised by the beneficiary company
ix) A spreadsheet including a list of 1 883 operations formalised during the period 2021-2023, regarding financial support which has been awarded to beneficiaries of the Industrial Entrepreneurship Support Programme, containing the following information: the code for the call

for grants, the ID of the operation in the IT system of CERSA, the amount of the grant without VAT, the total amount of the grant, the ID of the beneficiary, the name of the beneficiary, the address of the beneficiary, the code of the SGR providing the guarantee for the operation, the ID of the guarantee, the amount guaranteed, a short description of the purpose of the investment and a short description of the company, the number of employees of the company.

3. Analysis:

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

Financial support shall be awarded to SMEs for industrial investment projects under the Industrial Entrepreneurship Support Programme.

Clause 3 of the Agreements signed between CERSA and the Mutual Guarantee Companies (hereinafter SGRs) for the implementation of the Industrial Entrepreneurship Support Programme (point v of the evidence provided), provides that companies benefiting from this Programme and therefore, awardees of the financial support under this scheme are SMEs defined in accordance with Commission Recommendation 2003/361/EC of 6 May 2003, whose activity is carried out in the manufacturing and industrial services sectors.

Financial support shall be awarded for industrial investment projects under the Industrial Entrepreneurship Support Programme. Financial support awarded shall cover costs related to the guarantee fee charged by the Sociedades de Garantia Reciproca (SGRs), the interest of the loan, and the costs of assessing and opening the guarantee operation and the loan for the creation of industrial enterprises or expansion of existing facilities, or any improvement in their production system aiming to increase competitiveness.

Clause 1 of the Orders of the Ministry of Industry, Trade and Tourism transferring funds to CERSA for the implementation of the Industrial entrepreneurship Support Programme (points ii, iii and iv of the evidence provided) describes the characteristics of the Industrial Entrepreneurship Support Programme. According to these Clauses, the following financial costs borne by the beneficiary companies will be subsidised: the guarantee fee charged by the SGRs, the interest on the loan and the costs of studying and opening the guarantee operation and the loan. Clause 4 of the Agreements signed between CERSA and the SGRs (point v of the evidence provided), stipulates that eligible operations include projects for the creation of new industrial establishments, as well as for investment projects aiming at a change of scale in production or for the improvement of competitiveness of the beneficiary SME.

This investment may also receive support from other Union Programmes or instruments for costs that are not supported by the RRF.

Clause 5 of the Order of the Ministry of Industry, Trade and Tourism transferring funds to CERSA (point ii of the evidence provided) provides that the support granted by the SGR to the SME as the ultimate

beneficiary, is in the form of a subsidy and is compatible with other grants, aid, revenue or resources for the same purpose from any public or private authorities or bodies, national, European Union or international organisations, provided that the aid does not cover the same cost.

The loan shall have a maturity of at least 1 year.

Clause 6 of the Agreements signed between CERSA and the SGRs (point v of the evidence) provides that for financial support awarded to beneficiaries receiving loans for eligible projects, the duration of the lending operation and the associated guarantee may not be shorter than three years and may not exceed fifteen years, regardless of whether the counter-guarantee provided by CERSA to the operation will only cover the first ten years of the life of the transaction.

At least 1 500 operations have been awarded financial support from MINTUR through CERSA from 1 January 2021 to 31 December 2023.

According to the Orders of the Ministry of Industry, Trade and Tourism (points ii, iii and iv of the evidence provided), the funds for this financial support have been transferred from the Ministry of Industry, Trade and Tourism (MINTUR) to CERSA for the implementation of the Industrial Entrepreneurship Support Programme.

Regarding the requirement that the award period shall be from 1 January 2021 to 31 December 2023, Clause 6 of the Annex to the Orders of the Ministry of Industry, Trade and Tourism transferring funds to CERSA (points ii, iii and iv of the evidence provided) sets forth that the period for carrying out the activities of the Programme shall run from 1 January 2021 to 31 December 2023.

Following the selection of a random sample of 60 units, Spain submitted the following evidence: i) Proof of Payments communicated by CERSA to the SGR, certifying the payment of the support for a specific operation included in the list of operations which forms part of the said document, corresponding to projects under the Industrial Entrepreneurship Support Programme (point vii of the evidence provided), ii) Official Notifications communicated by the SGR to the beneficiary of the support, certifying that the amount received by the SGR from CERSA covers costs related to the operation realised by the beneficiary company (point viii of the evidence provided). Spain has also provided a spreadsheet including a list of 1 883 operations formalised during the period 2021-2023, concerning financial support which has been awarded to beneficiaries of the Industrial Entrepreneurship Support Programme (point xi of the evidence).

For the verification of this requirement, a sampling exercise was conducted. For a sample of 60 units/operations, the Commission has checked the following evidence: i) The Notification communicated by CERSA to the SGR, certifying the payment of the support for a specific operation (point viii of the evidence), and ii) The Proof of Payment communicated by the SGR to the beneficiary of the support, certifying that the amount received by the SGR from CERSA has been used to cover costs related to the operation realized by the beneficiary company (point vii of the evidence). In addition, the Commission has checked in the Spanish National System for Publication of Subsidies and State Aid, currently regulated by Royal Decree 130/2019 of 8 March, that these operations have been awarded financial support from CERSA, and that the date of the award falls within the CID requirement period of 1 January 2021 to 31 December 2023.

The evidence provided for a sample of 60 units/operations confirmed that the requirement that 1 883 operations have been awarded financial support through CERSA under the Industrial Entrepreneurship Support Programme, has been met.

The selection criteria shall ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list, and the requirement of compliance with the relevant EU and national environmental legislation.

Section 3 of the Agreements signed between CERSA and the SGRs (point v of the evidence), requires that beneficiaries have to comply with the DNSH principle as stated in the responsible declaration in Annex 2 to this Agreement. The responsible declaration in Annex 2 includes:

- the **list of excluded activities** in line with the requirements of the milestone and measure description (section I.C to Annex 2 of Agreement between CERSA and AFIGAL, SGR)
- the requirement for the beneficiary to comply with the **Commission's technical guidance on sustainability proofing for the InvestEU Fund** (section II(2) to Annex 2 of Agreement between CERSA and AFIGAL, SGR)
- the requirement to comply with the **relevant EU and national environmental legislation** (section II(2) to Annex 2 of Agreement between CERSA and AFIGAL, SGR)

Furthermore, in line with the measure description, **financial support awarded to industrial projects (1500) developed by SMEs, for actions under this investment in new industrial facilities or expansion of existing ones**, **or any improvement in the production system aiming to increase competitiveness, taking into account the potential to contribute to climate change mitigation.**

As mentioned above, Clause 4 of the Agreements signed between CERSA and the SGRs (point v of the evidence provided) sets forth that eligible operations include industrial investments targeting entrepreneurship projects (related to the creation of new industrial establishments by SMEs) and growth projects, developed by SMEs, which support a change of scale in production or improve SMEs competitiveness. Furthermore, Annex 2, part II of the Orders of the Ministry of Industry transferring funds to CERSA for the implementation of the Industrial Entrepreneurship Support Programme (points ii, iii and iv of the evidence provided) provides that the guaranteed enterprise will have to comply with the requirement that the funding received will be implemented in accordance with relevant EU and national environmental, climate and social laws and regulations (including environmental, labor and occupational health and safety regulations, planning permits, operating licenses and permits), as appropriate.

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C13]-I[I4]-T[210], SMEs and business associations having received support from the Technological Fund

Related Measure: ES-C[13]-I[I4], Support for Trade

Quantitative Indicator: 200

Time: Q4 2023

1. Context:

The measure aims to help small businesses adapt to the digitalisation of the trade sector and to the changed consumer behaviour. The investment consists of two core lines of action. The first focuses on providing grant support to projects in the small trade sector through the 'Technological Fund,' aimed at incorporating new technologies, in addition to the creation of a digital platform to foster the digitalization of the sector. The second involves supporting projects submitted by local authorities under the 'Sustainable Markets' program, which target improvements in the modernization of municipal markets, commercial areas, non-sedentary sales markets, and short marketing channels.

Target 210 concerns the first action under this investment. It concerns the grant support to be awarded to SMEs or business associations for projects in the sector aimed at incorporating new technologies that enable local trade to respond to new consumption habits, under the 'Technological Fund'. As a separate action within this target, the investment shall be complemented with the creation of a digital platform to foster the digitalization of the sector.

Target 210 is the first step of the implementation of investment, and it will be followed by targets 211 and 212, related to the modernisation actions in municipal markets or commercial areas. Target 211 and 212 are related to the second line of action under this investment, as described above. The investment has a final expected date for implementation on 30 June 2023.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled. The summary document indicates the official acts laying down the regulatory basis for the support program, as well as the description of the scope of the program in line with the CID, as well as the reference that beneficiaries must be SMEs. The summary document also includes an indication of the articles containing the selection criteria that ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01), as specified in the CID Annex;

ii. A spreadsheet listing the SMEs or business associations which have received support, including their ID, their size, and the type of programme under which they are being supported;

iii. Calls for grants (*Convocatoria*) of each autonomous community, which includes the terms of reference of the autonomous regions (*Bases reguladoras*), specifying the conditions, the eligibility

of the projects and beneficiaries, and compliance with DNSH principles . The number, date, and Official Gazette identifiers of each call for grants and/or the corresponding terms of reference are compiled in the summary table listed as evidence item viii;

iv. Granting resolutions of the autonomous regions (*Resolución de concesión*), specifying the awarded beneficiaries, the distribution of funds, and compliance with eligibility and DNSH requirements The number, date, and Official Gazette identifiers of each call for grants and/or the corresponding terms of reference are compiled in the summary table listed as evidence item viii;

v. Copies of the bank-transfer certificates (as official document that recognizes payment obligations);

vi. Link to the digital Connected Commerce Platform (*Plataforma Comercio Conectado*); https://comercioconectado.gob.es/

vii. Summary table "Annex 07 –DNSH Compliance for Target 210" (Anexo 07 – cuadro resumen de los artículos de las bases reguladoras de las Comunidades Autónomas que acreditan el cumplimiento del principio DNSH) listing the articles in the regulatory bases of the autonomous communities that demonstrate compliance with DNSH;

viii. Summary table "Annex 08 – Eligibility Criteria for Target 210" (*Anexo 08 – cuadro resumen de los artículos de las bases reguladoras de las Comunidades Autónomas que contienen los criterios de elegibilidad*) listing the articles in the regulatory bases of the autonomous communities that contain the selection criteria for the support program.

ix. Copy of the Resolution of 19 May 2022 of the Secretary of State for Trade publishing the Sectoral Conference Agreement (*Acuerdo de Conferencia Sectorial*), which establishes the framework and conditions for the distribution of funds among Autonomous Communities.

x. Copies of supporting evidence for the establishment of the online platform for connected commerce (P*lataforma Comercio Conectado*), such as: i) a confidentiality agreement on the pilot experience for associations (*Declaración de confidencialidad sobre la experiencia piloto para asociaciones de la plataforma comercio conectado*), ii) the agenda of the launch event of the online platform (*Revitalizando el sector retail agenda*) on 16 December 2023, which serves as supporting evidence for the establishment of the online platform for connected commerce, iii) Certificate of the Connected Commerce Platform (*Certificado de lanzamiento de la plataforma*), issued by Sub-Directorate-General for Information and Communications, 23 November 2023, iv) invitation email to retail associations (*Invitación a asociaciones*) for their participation in the initial testing phase of the platform.

3. Analysis:

At least 200 SMEs or business associations in the commercial sector having received grant support from the Technological Fund

In line with the description of the target, 2956small and medium enterprises (SMEs) or business associations in the commercial sector have received grant support from the Technological Fund, as shown in the consolidated spreadsheet (see point ii in the evidence provided). This figure represents a significant overachievement of the target. This was verified on the basis of the evidence provided for a sample of 60 units the population listed in the spreadsheet (point ii) of the evidence above, which confirmed that the listed SMEs or business associations had received grant support from the Technological Fund. The Spanish authorities provided for each sampled unit an official bank-transfer certificate for the awarded grant, attesting to the disbursement and receipt of the full grant support. This was cross-checked with the granting resolution (point iv) to establish a link between the final beneficiaries of the grants, the awardees, and their compliance with the target requirements, as set out in the terms of reference and the call for grants.

Grant support is administered by each Autonomous Community. Consequently, the legal provisions transposing the requirements of the Council Implementing Decision differ across regions. A table has been compiled presenting for each Autonomous Community the specific provisions of the grant calls (*Convocatorias*) broken down by regionally applied requirement and excluding those limited to the sampling of bank transfer certificates.

Region	Document	Eligibility Criteria	Final Beneficiary Criteria	Sector of Activity Criteria	DNSH Compliance	Classification of the Technological Fund
Andalusia	Regulatory bases approved by Order of 27 December 2022	Article 3(2) and 3(3)	Articles 4(1), 4(2) and 4(3)	Article 4(1)(a); Article 4(d); Article 4(3)	Articles 3(4) and 22(f)	Articles 1 and 2
Aragon	Order ICD/1693/2022 of 15 November 2022 / Order ICD/648/2023 of 11 May 2023	Articles 2(2)(a)–(d) and 21(2) / Article 2(2)(3)	Articles 22(1)(a) and 22(1)(b); Articles 3(1)(a) and 3(1)(b) / Article 3(1)(a)	Article 3(1)(a) and 22(1)(a) / Article 3(1)(a)	Articles 21(4)(b) and 7(4)(a) / Article 3(2)	Articles 2 and 20(2) / Article 6
Asturias	Resolution of 22 December 2022 of the Ministry of Industry, Employment and Economic Promotion	Articles 10(3)(1) and 10(3)(2)	Articles 6(1) and 6(2)	Article 1(2)(a) and Article 6(1)	Articles 9 and 12; Article 7(3)(a)	Articles 15(3) and 1(3)

Region	Document	Eligibility Criteria	Final Beneficiary Criteria	Sector of Activity Criteria	DNSH Compliance	Classification of the Technological Fund
Balearic Islands	Order 35/2022 of 20 December 2022 / Order 19/2023 of 25 May 2023	Article 2(2); Article 12(1)(t); Articles 20(3)(1)–20(3)(4); Articles 23(3)(2)(c), 23(3)(3)(b), 23(3)(4)(c) / Article 2(2); Article 12(1)(s); Articles 23(3)(1)(a),(c), 23(3)(2)(c), 23(3)(3)(b), 23(3)(4)(c)	Article 3(1) / Articles 3(1) and 24(1)	Articles 3(1) and 22(1) / Articles 3(1) and 24(1)	Articles 21(4) and 23(4)	Article 2(2); Article 20(2); Article 37 / Article 2(2); Article 22(2); Article 39
Canary Islands	Order of 20 December 2022	Article 1; Article 7(2)	Article 1 (legal considerations)	Article 3(b) and Article 1 (legal considerations)	Articles 2, 4, 6, 14 and 21	Articles 5 and 7
Cantabria	Order IND/80/2022 of 23 December 2022 / Order IND/48/2023 of 26 September 2023	Articles 1(3), 8 and 26 / Articles 1(3) and 8	Article 3 / Article 6	Article 3 / Article 6	Article 8(9) / Article 9(8)	Article 1(4) / Article 1(3)
Castile–La Mancha	Order 246/2022 of 16 December 2022 of the Ministry of Economy, Business and Employment	Articles 10(2) and 10(3) / Article 5(2)	Article 6(a) / Article 3(2)(a)	Article 6(a) / Article 3(2)(a)	Articles 8(2)(e) and 10(e) / Article 9(4)(e)	Articles 2 and 4 / Article 2
Castile and León	Order IEM/1901/2022 of 22 December 2022	Article 4	Articles 6(1)(1)(b) and 2(2)(1)(a)	Article 2(1)(1)(c)	Articles 3(2)(1); 12(1)(b); 4(5)(g)	Articles 1 and 2

Region	Document	Eligibility Criteria	Final Beneficiary Criteria	Sector of Activity Criteria	DNSH Compliance	Classification of the Technological Fund
Catalonia	Regulatory bases published in the DOGC No. 8803 of 29 November 2022	Article 2(3) (Annex)	Articles 2(1) and 2(2) (Annex)	Article 2(2) (Annex)	Articles 3(3); 6(3)(j); 21(r); 5(2)	Articles 2(1) and 1
Ceuta	Decree 69358/2022	Articles 1(3) and 6(2)	Article 3	Article 3	Articles 3(6)(h) and 6(7)	Article 1(3)
Extremadura	Decree 140/2022 of 30 November 2022	Article 4; Annex A	Article 2(a)(1)	Article 2(a)(2)	Articles 5(1)(n); 13(e); 16(e)	Sole additional provision; Article 9(1)(a); Article 19(1); Article 21
Galicia	Order of 23 December 2022 / Order of 23 December 2022	Articles 1(2) and 4(1)	Article 3	Article 3	Articles 4(5); 5(1)(3)(c); 15	Article 1(2)
La Rioja	Order DEA/85/2022 of 21 December 2022	Articles 5 and 6	Article 11(1)(a)	Article 11(1)(a)	Article 6(2)	Article 1(4)
Madrid	Order of 27 October 2022 of the Ministry of Economy, Finance and Employment	Articles 7 and 8	Article 4	Article 4	Articles 4(2)(g) and 9(c)	Article 2(2)
Melilla	Order of 27 October 2022 approving the regulatory bases	Articles 2(2) and 3	Articles 3(1) and 3(2)	Article 7(2)	Article 5	Article 2

Region	Document	Eligibility Criteria	Final Beneficiary Criteria	Sector of Activity Criteria	DNSH Compliance	Classification of the Technological Fund
Murcia	Order of the Ministry of Business, Employment and Universities establishing the regulatory bases and approving the call for aid for the Modernization of Trade Program (Technological Fund)	Articles 2(3) and 3; Article 7	Article 5(1)	Article 5(1)	Article 3(2)(b)	Article 27(1)
Navarre	Resolutions 169E/2022 of 30 November 2022 / 213E/2023 of 7 June 2023	Articles 4(1) and 4(2); Article 6	Article 5(2)	Article 5(2)	Article 6(4)(c)	Article 1(4)
Basque Country	Order of 29 November 2022 / Order of 21 March 2023	Article 7(4)	Article 5(1)	Article 5(1)(c)	Article 8(17)	Article 1(5)
Valencia	Resolution of 21 December 2022	Article 3	Article 5(1)	Article 5(1)	Article 4(4)	Article 3

The articles listed in the fourth column of the table summarising the provisions of the various regional calls for grants (*Convocatorias*) (see point iii of the evidence provided) define the beneficiaries of the aid as SMEsin the commercial sector and establish the eligibility conditions. SMEs must meet the definition set out in Commission Regulation (EU) No. 651/2014 of 17 June 2014 and Commission Recommendation 2003/361/EC of 6 May 2003. This legal reference imports the EU's quantitative thresholds, thereby excluding large enterprises and ensuring that aid is reserved for the intended target group. The beneficiary

list (point ii in the evidence provided) records each entity's legal form, size, and the relevant economic activities tax (*Impuesto de Actividades Económicas, IAE*) code. All corresponding regional calls for grants of the sampled SMEs include this clause, ensuring compliance with the firm-size criterion.

The articles listed in the fifth column of the table summarising the provisions of the various regional calls for grants (*Convocatorias*), stipulate that applicants must be registered under specific retail trade tax headings (*IAE*),ensuring that the SMEs' and business associations' primary activity falls within the small-trade sector. All corresponding regional calls for grants of the sampled SMEs or business associations include this clause, ensuring compliance with the sectoral criterion.

The articles listed in the seventh column seven of the table summarising the provisions of the various regional calls for grants (*Convocatorias*) establish that the allocated funding is sourced from budget lines tied to the Technological Fund (*Fondo Tecnológico*). The classification of the Technological Fund as the source of financing establishes an institutional and financial link in line with the description of the measure.

The grant support from the Technological Fund] ensures compliance with the 'Do No Significant Harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement to adhere to relevant EU and national environmental legislation.

The articles listed in the sixth column of the table summarising the provisions of the various regional calls for grants (*Convocatorias*), establish the DNSH principle as a binding requirement, ensuring compliance with Regulation (EU) 2020/852 throughout project design and implementation. These articles also mandate adherence to national environmental legislation and outline an exclusion list aligned with Commission Communication 2021/C 58/01. The DNSH principle is fully incorporated into the regulatory framework, setting binding environmental conditions for project approval, execution, and monitoring. For a further overview of the relevant provisions across all autonomous communities, please refer to the summary table that includes the articles of the calls for grants and/or terms of reference of the autonomous communities demonstrating compliance with DNSH (point vii of the evidence).

Eligible projects under this fund include: a. Projects in new technologies aimed at improving online commercial and communication strategy, business models or shopping experience. b. Projects in new technologies for the adaptation of the physical shopping experience to new consumer needs and habits and new management models. c. Projects in technological solutions to improve the efficiency and sustainability of last mile logistics. d. Projects in the implementation of technological solutions to improve energy and resource efficiency.

The articles listed in the third column of the table summarising the provisions of the various regional calls for grants (*Convocatorias*) define the eligible projects under the Technological Fund Each regional Call for Grants (*Convocatorias*) reproduces (often with more granular detail) the four project categories set out in the Council Implementing Decision. Thus, (i) headings such as "customer-intelligence tools" and "digital-transformation projects that improve the omnichannel market and shopping experience" capture the CID's requirements for new-technology projects that enhance online commercial strategy as well as (ii) adapt the physical store to new consumer habits; (iii) headings on "installation of smart delivery points" translate the CID's requirement for technological solutions that optimise last-mile logistics; and (iv) headings on

“reduction of input consumption”, “energy-efficiency projects” and “waste-prevention, reuse and recycling actions” together cover the CID’s criterion on resource- and energy-efficiency technologies. The terms of reference state that only proposals falling within these enumerated headings are admissible. Accordingly, every grant approved under the calls is, by construction, confined to the substantive scope defined in the CID, ensuring compliance with the description of the measure. The overview of the relevant provisions across all regional communities, are outlined in the summary table of the articles of the regulatory bases of the Autonomous Communities provided by Spain and demonstrating compliance with the eligibility criteria (point viii of the evidence provided).

The investment shall be completed with the creation of a digital platform (Plataforma Comercio Conectado).

In line with the target description, the Connected Commerce Platform (*Plataforma Comercio Conectado*) is an operational digital platform supporting SME digitalization through interactive tools, training, and networking (point vi of the evidence provided). Its creation is further documented by the pilot confidentiality agreement and invitation e-mail to retail associations, the “Revitalising the Retail Sector” launch agenda of 16 December 2023, and the Launch Certificate of 23 November 2023 (all under point x of the evidence provided). The platform processes user data, personalizes content, and integrates with government initiatives, ensuring scalability. By facilitating best practice exchange, market access, and logistics optimization, it helps SMEs adopt digital solutions, in accordance with the target requirement. Its operation and functionalities can be verified by accessing the referenced link (point vi of the evidence provided) and navigating through its features.

Projects in the small trade sector aimed at incorporating new technologies that enable local trade to respond to new consumption habits, under the ‘Technological Fund’ (200 projects).

In line with the measure description, Spain has supported 2 956 SMEs under the Technological Fund (point ii in the evidence provided), thereby exceeding the 200-project threshold. By design, each grant round allows at least one proposal per applicant, creating a direct correspondence between funded projects and beneficiaries. All regional Calls for Grants restrict funding to the four CID-defined categories—digital-strategy tools, in-store technology, last-mile logistics solutions and energy/resource-efficiency measures—as set out in the articles listed in the third column of the table summarising the provisions of the various regional calls for grants (Convocatorias) (evidence iii and summary table viii). The articles listed in the fifth column of the table summarising the provisions of the various regional calls for grants (*Convocatorias*) limit beneficiaries to SMEs and non-profit trade associations registered under retail IAE codes (evidence iii of the evidence provided), and the articles listed in the seventh column seven of the table summarising the provisions of the various regional calls for grants (*Convocatorias*)earmark budget line Technology Fund (*Fondo Tecnológico*) as the source of financing (evidence iii of the evidence provided). Taken together, these documents confirm that at least 200 eligible new-technology projects in the small-trade sector have been financed that enable local trade to respond to new consumption habits.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C14]-I[I1]-T[219], Budget award of plans promoting the sustainability of Tourism at their destination

Related Measure: ES-C[13]-I[I4], Transformation of the tourism model towards sustainability

Quantitative Indicator: EUR (million)

Baseline: 1 173

Target: 1 788,6

Time: Q4 2023

1. Context:

The measure aims at strengthening the environmental, socio-economic and territorial sustainability of tourism and targets tourist destinations, social partners and private operators in the sector.

Target 219 concerns the award to local authorities of financial resources to implement 'Territorial Plans for Tourism Sustainability at Destination', for at least EUR 1 788 600 000 by end 2023, with a baseline of 1 173 000 000 from Q4 2022, and with 35 % of the funds to account for measures addressing green transition, sustainability and energy efficiency/electro mobility at destinations.

Target 219 is the third target of the investment and it follows the completion of targets 217 and 218, related to the first and second tranches of awards to implement Territorial Plans for tourism at their destination. It will be followed by milestones 220 and 221, which will monitor the completion of the plans and projects. The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the CID annex) was satisfactorily fulfilled.

xlvi. Resolution of 22 May 2023 of the Secretary of State for Tourism publishing the Tourism Sectoral Conference Agreement of 9 May 2023 and link to its publication in the Official Journal No. 129 on 31 May 2023.

xlvii. Resolution of 29 December 2023 of the Secretary of State for Tourism publishing the Tourism Sectoral Conference Agreement of 29 December 2023, amending the Tourism Sectoral Conference Agreement of 9 May 2023 and link to its publication in the Official Journal No. 26 on 30 January 2024.

xlviii. Previous Tourism Sectoral Conference Agreement for 2021 and link to its publication in the Official Journal No. 312 of 29 December 2021.

xlix. Previous Tourism Sectoral Conference Agreement for 2022 and link to its publication in the Official Journal No. 26 on 30 January 2024.

l. Extract of the official document containing the selection criteria that ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01), as specified in the Council Implementing Decision Annex: pages 11559-11561 of the Resolution of 29 December 2023.

li. Extract of the official document containing the selection criteria used to ensure that the amounts contributing to climate change objectives specified in the description of the measure, in line with Annex VI to the Recovery and Resilience Facility Regulation (EU) 2021/241: Annex 5 of the Tourism Sustainability Strategy in Destinations, containing the investment minimum thresholds per axis.

lii. Extract of the official document containing the selection criteria that ensure that 35 % of the funds account for measures addressing green transition, sustainability and energy efficiency/electro mobility at destinations: section 8.2.2 of the Tourism Sustainability Strategy in Destinations.

liii. Calculations containing the climate contribution for the overall investment, each programme and target per yearly sectorial agreement.

liv. Report from the Ministry in relation to documentation provided on each target.

lv. Copy of the Tourism Sustainability Strategy in Destinations.

3. Analysis:

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

Publication in the Official Journal of the award to local authorities of support to implement 'Territorial Plans for Tourism Sustainability at Destination', for at least EUR 1 788 600 000 (baseline EUR 1 173 000 000 as of 31 December 2022).

The Resolution of 22 May 2023 (point ii) of the evidence provided) of the Secretary of State for Tourism publishing the Tourism Sectoral Conference Agreement reached on 9 May 2023 regarding the award to regional authorities of grant allocation support to implement 'Territorial Plans for Tourism Sustainability at Destination' ("Resolution of 22 May 2023") was published in the Official Journal No. 129 on 31 May 2023. This Resolution was amended by the Resolution of 29 December 2023 of the Secretary of State for Tourism publishing the Tourism Sectoral Conference Agreement reached on 29 December 2023 ("Resolution of 29 December 2023", point iii) of the evidence provided), which was published in the Official Journal No. 26 on 30 January 2024 in order to implement the changes brought about by the October 2023 Addendum to the Spanish Recovery and Resilience Plan with regard to the relevant milestones and targets.

According to the evidence provided, Spain completed awards of grant allocation support to regional authorities to deliver to local authorities to implement Territorial Plans for Tourism Sustainability at Destination for 2023, amounting to EUR 478 000 000 (excluding VAT) (pages 11549-11555 of the Resolution of 29 December 2023, point iii) of the evidence provided). The Tourism Sectoral Conference

Agreement specifies how each regional authority will distribute the grant allocation among local entities (Table 2, pages 75453-75459 of the Resolution of 29 December 2023, point iii) of the evidence provided).
As part of the second and fourth payment requests, respectively, Spain submitted evidence to support the completion of EUR 615 000 000 (page 11491 of point iv) of the evidence provided) and EUR 719 770 000 (page 11521 of point v) of the evidence provided) in awards of grant allocation support, under T217 and T218 of the same investment, exceeding the requirements for T217 (EUR 561 000 000) and T218 (EUR 1 173 000 000 from the baseline of EUR 561 000 000), by EUR 161 770 000. Given the link between T217 and T218 and the subsequent T219, at this stage the assessment of the overall completion takes into consideration all awards under the three targets: 217, 218 and 219. . Notably, the cumulative amount of grant allocation support awarded under the investment C14.I1 (i.e. under the three targets) so far is EUR 1 812 770 000, above the required target of at least EUR 1 788 600 000 in the Council Implementing Decision.

Table 1 of the Resolution of 29 December 2023 (point iii) of the evidence provided, pages 11547 and 11548) details the amount awarded to each Autonomous Community. Table 2 (pages 11549-11555) sets the amounts corresponding to the Territorial Plans for Tourism Sustainability at Destination submitted by the local authorities and selected as beneficiaries of the aid.

35 % of the funds to account for measures addressing green transition, sustainability and energy efficiency/electromobility at destinations.

Section 8.2.2. of the Strategy for Tourism Sustainability in Destinations (point viii) of the evidence provided) indicates the axis and investment thresholds devoted to reaching 35% of the funds accounting for measures addressing green transition, sustainability and energy efficiency/electromobility at destinations. This percentage is reached by allocating at least 7.5% of the budget to actions under axis 1 (green transition and sustainability) of section 6 of the strategy with a 100% climate contribution; at least 7.5% of the budget to actions under axis 1 of section 6 of the strategy with a 40% climate contribution; and at least 20% of the budget allocated to actions under axis 2 (energy efficiency/electromobility) of section 6 of the strategy with a 100% climate contribution, hence in total at least 35% of the budget allocated (point viii) of the evidence provided).

The selection criteria shall ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation.

The Resolution of 29 December 2023 includes the selection criteria ensuring compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of the specified and concrete exclusion list and the requirement of compliance with the relevant EU and national environmental legislation (point vi) of the evidence provided).

Selection criteria shall ensure that, out of the final total budget awarded for the measure, at least EUR 359 000 000 of the measure contribute to the climate change objectives with a 100 % climate coefficient and at least EUR 519 000 000 with a 40 % climate coefficient, in accordance with Annex VI to the Recovery and Resilience Facility Regulation (EU) 2021/241. Alternatively, the selection criteria shall ensure that at least EUR 1 788.6 million contribute to climate change objectives with an average climate

coefficient of at least 31.7 % in accordance with Annex VI to Regulation (EU) 2021/241 of the European Parliament and of the Council.

The Resolution of 29 December 2023 (point iii) of the evidence provided, page 11559) contains the selection criteria used to ensure the required amounts contributing to climate change objectives in accordance with Annex VI to the Regulation (EU) 2021/24, with further criteria laid out in Annex 5 of the Strategy for Tourism Sustainability in Destinations (point vii) of the evidence provided). The selection criteria laid down in the Strategy for Tourism Sustainability in Destination must be followed for all calls launched on the basis of the Agreement of the Sectoral Tourism Conference.

Summing up (1) the amounts included therein as provided by the authorities for all calls, as well as (2) the amounts awarded on the basis of the previous Agreement of the Sectoral Tourism Conference (point iv) and v) of the evidence provided), the overall selection criteria requirement to ensure that at least EUR 1 788.6 million contribute to climate change objectives with an average climate coefficient of at least 31.7 % in accordance with Annex VI to Regulation (EU) 2021/241 of the European Parliament and of the Council is met (EUR 1 819 050 with an average climate coefficient of 34.3%). To that end, calculations provided (as demonstrated per point ix) and x) of the evidence provided) to all relevant targets confirm climate tagging compliance for the total budget amount.

4. Commission Preliminary Assessment:

Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C15]-I[I7]-T[246], Strengthen and improvement of Cybersecurity Capacities: Resources

Related Measure: ES-C[15]-I[I7], Cybersecurity: Strengthening the capacities of citizens, SMEs and professionals; improving the sector's ecosystem

Quantitative Indicator: Number

Baseline: 0

Target: 100

Time: Q2 2023

1. Context:

The measure aims to develop the cybersecurity capacities of businesses and citizens by equipping them with the skills to identify risks, and to boosting the cybersecurity sector ecosystem in Spain. The measure also aims to create an international hub on cybersecurity, which shall include the launch of the mirror centre of the European Competence Centre (ERCC).

Target 246 concerns the strengthening and improvement of Cybersecurity Capacities by the delivery of at least 100 resources for awareness and communication actions in the area of cybersecurity; developing digital skills in cybersecurity at all educational levels, by means of the development of specific resources, tools and materials; as well as the setting up a cybersecurity international hub participating in the European Network of cybersecurity centres.

Target 246 follows the completion of milestone 245 related to the launch of the National Cybersecurity Industry Support programme and the Global Security Innovation Programme and other related actions to boost the cybersecurity industry with a budget awarded of EUR 311 million, and the completion of target 247 on improving the cybersecurity help line of the National Institute of Cybersecurity (INCIBE). Target 246 is accompanied in the same payment request by milestone 453 regarding the continuation of the type of projects initiated under milestone 245, and it is followed by milestone 248 related to the completion of the projects awarded under milestones 245 and 453.

The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Excel table including the list of resources and details, including beneficiary group, educational level and description of the resource (list of actions/ resources deployed) dated 23 January 2025 uploaded on 26 January 2025.

iii. Execution reports for 60 resources

iv. Annex 201 Letter from the European Cybersecurity Competence Centre (ECCC) confirming the appointment of INCIBE as national coordination centre in Spain.

v. Letter from the Ministry of economy and digital transformation requesting to appoint INCIBE to the ECCC

vi. Report explaining the inclusion of INCIBE in the ECCC, including the ECCC website listing national cybersecurity authorities in the network, featuring INCIBE: National Cybersecurity Coordination Centres.

3. Analysis:

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

Strengthen and improvement of Cybersecurity Capacities by the delivery of at least 100 resources for awareness and communication actions in the area of cybersecurity. Digital skills in cybersecurity shall be developed at all educational levels, by means of the development of specific resources, tools and materials.

The evidence provided for a sample of 60 units (execution reports included in item iii of the evidence provided) confirmed that the data provided in the excel table (item ii of the evidence) is correct.

On that basis, the Spanish authorities have provided a list of 30 types of resources, as listed in column F of the excel table summarising all resources (item ii) of the evidence provided). Resources are activities, tools, materials or content with dissemination and targeted information for raising awareness and communication actions in the area of cybersecurity. Examples of these resources include inter alia a large variety of supports, such as newsletters with cybersecurity content, blog entries, infographics, guides, videos, reports, studies, comic books, training talks or workshops among others. As also listed in the excel table, a total of 199 resources for awareness and communication actions in the area of cybersecurity have been delivered to strengthen cybersecurity capacities, thus overachieving the target requirement of at least 100 resources.

The details of each resource are identified in column G of the excel table. In terms of content, each resource falls in one of the categories in column D of the excel table, in line with the requirement of awareness and communication actions in the area of cybersecurity:

- Cybersecurity awareness and outreach content for Operation Technologies professionals
- Cybersecurity awareness and outreach content for IT professionals
- Cybersecurity awareness and outreach content for businesses
- Cybersecurity awareness and outreach content for citizens
- Cybersecurity awareness and outreach for children, families and educators
- Awareness and outreach content for the promotion of Cybersecurity Talent
- Competitive Jeopardy Cybersecurity Workshop
- Promoting cybersecurity culture through the organisation of CyberCamp events
- Proximity actions on cybersecurity skills

Based on the excel table, 181 resources tools and materials have been delivered in total to develop digital skills in cybersecurity at all educational levels, with the remaining 18 resources aimed specifically at SMEs. The educational level concerning the specific resources to improve digital skills of citizens are identified in column L of the excel table, with at least one resource aiming at each category: children, teenagers and adults.

Each indicated resource is accompanied by an execution report that describes in detail what it consists of and which is the beneficiary group targeted. The evidence provided for a sample of 60 units (execution reports included in item iii of the evidence provided) confirmed the data provided in the excel table (item ii of the evidence) that at least 100 resources for awareness and communication actions in the area of cybersecurity have been delivered. In addition, as apparent by the execution reports in the sample:

- all resources aim to raise awareness, communicate and improve cybersecurity knowledge of the targeted beneficiary group;
- All educational levels are targeted by at least one resource;

Further, a cybersecurity international hub participating in the European network of cybersecurity centres shall be set up.

The Council Implementing Decision required a cybersecurity international hub participating in the European network of cybersecurity centres shall be set up. Although there is no new centre set up, as shown by the letters and website (items iv, v and vi of the evidence provided), the National Cybersecurity Institute INCIBE has been designated as the national coordination centre for Spain in the European network of cybersecurity: the European Cybersecurity Competence Centre (ECCC). Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, INCIBE has acquired an international profile by being part of the ECCC which allows it to be considered an international cybersecurity centre. At the same time, for a cybersecurity centre to have an international profile, it needs to build on national experience first. This would render having an additional, newly built international cybersecurity centre, in parallel to INCIBE, not efficient. 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.

The letter requesting the Commission to appoint INCIBE as national coordination centre in the ECCC is included in point v of the evidence, together with the positive reply of the Commission/ECCC in point iv of the evidence. This is also confirmed on the website of the European Cybersecurity Coordination Centre (included in point vi of the evidence) of the evidence provided).

Moreover, the measure description requires **strengthening the cybersecurity capacities of citizens, SMEs and professionals. Equipping citizens and businesses, especially SMEs, with the necessary skills to identify risks in the everyday use of digital. The programmes in this area include […] proximity actions, and the development of specific resources for these purposes.**

As explained above, 199 resources aimed at strengthening cybersecurity have been delivered, as listed in Annex 1 (item ii) of the evidence provided). As indicated in column E of the excel table, 155 resources have been delivered that are targeted towards strengthening the cybersecurity capacities of citizens in general, 18 specifically towards SMEs and 26 specifically towards professionals, equipping all of them with the

necessary skills. In addition, in line with the indications of column K of the excel table, 75 resources consist of proximity actions.

The evidence provided for a sample of 60 units (execution reports included in point iii of the evidence provided) confirmed the data provided in the table that:

- The three beneficiary groups citizens, SMEs or professionals are targeted by at least one resource;
- More than two resources consist of proximity actions.

4. Commission Preliminary Assessment: Satisfactorily fulfilled.

Number and name of the Milestone: ES-C[C15]-I[I7]-M[453], Launch of the National Cybersecurity Industry Support program, the Global Security Innovation Programme and related actions

Related Measure: ES-C[15]-I[I7], Cybersecurity: Strengthening the capacities of citizens, SMEs and professionals; improving the sector's ecosystem

Qualitative Indicator: Publication of the programmes

Time: Q3 2023

1. Context:

The measure aims to develop the cybersecurity capacities of businesses and citizens by equipping them with the skills to identify risks, and to boost the cybersecurity ecosystem in Spain. The measure also aims to create an international hub on cybersecurity, which shall include the launch of the mirror centre of the European Competence Centre (ERCC).

Milestone 453 is the continuation of the award of the type of projects initiated in Milestone 245, related to the deployment of the National Cybersecurity Industry Support programme and of the Global Security Innovation Programme, and other related actions, with a budget awarded of EUR 107 000 000, in addition to the EUR 311 000 000 under Milestone 245, hence for a total award of EUR 418 000 000.

Milestone 453 follows the completion of milestone 245 related to (i) the launch of the National Cybersecurity Industry Support programme and the Global Security Innovation Programme and other related actions to boost the cybersecurity industry with a budget awarded of EUR 311 million, and the completion of target 247 on improving the cybersecurity help line of the National Institute of Cybersecurity (INCIBE). Milestone 453 is accompanied in the same payment request by target 246 related to the improvement of cybersecurity capacities by the delivery of at least 100 resources for awareness and communication actions, and it is followed by milestone 248 related to the completion of the projects awarded under milestones 245 and 453.

The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. A list of the publication of the awards indicating for each of the awards: a) the reference and link of the platform where the award has been published; b) the tender specifications; c) the beneficiaries, the amount being awarded (excluding VAT); and d) evidence on the compliance with any of the six identified project areas;

iii. Copies of the terms of reference and/or contracts and of the corresponding assessment for sampling units when links not available;

iv. Summary notes for 60 units including links to terms of reference and budget awards where available.

3. Analysis:

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

- **Continuation from Milestone 245 of the deployment of the National Cybersecurity Industry Support program and the Global Security Innovation Programme and other related actions (with a budget awarded of EUR 107 000 000, in addition to the EUR 311 000 000 under Milestone 245 for a total award of EUR 418 000 000), [...],**

The evidence provided for a sample of 60 units (points iii and iv of the evidence provided) confirmed the accuracy of the data provided in the excel table (point ii) of the evidence).

Actions deployed under the National Cybersecurity Industry Support program and the Global Security Innovation Programme consist in 292 projects in key industry aspects of cybersecurity. The details of all 292 awards are included in the excel table containing the list of the publication of the awards (point ii) of the evidence provided). The supporting evidence underlying the excel table is included in points iii and iv. Column C identified which programme they correspond to: 62 actions correspond to the deployment of the National Cybersecurity Industry Support programme, and 230 actions correspond to the deployment of the Global Security Innovation Programme.

The total awarded budget is reflected in cell E4 (sum of individual amounts in columns O and Q) of the table. This total budget is met through budgets awarded for projects in the intermediate milestone 245 (and in some cases revised upwards; see below) and budgets for projects awarded under this milestone 453, duly identified in column B. According to the evidence provided, Spain awarded a total of EUR 430.7 million in cybersecurity projects.

As part of the fourth payment request, Spain submitted evidence to support the award of EUR 319 million in cybersecurity projects, under Milestone 245 of the same investment. Given the link between Milestone 245 and the subsequent Milestone 453, at this stage the assessment of the overall completion takes into consideration all awards under both Milestones, 245 and 453. Notably, the cumulative amount of the budget awarded under milestones 245 and 453 so far is EUR 430.7 million, thereby surpassing the required total amount of awards of EUR 418 million.

The Spanish authorities have explained (point i) of the evidence provided) that the budget of some of the projects awarded under milestone 245 has been revised upwards, thereby not reducing the ambition of the 43 projects nor affecting the satisfactory fulfilment of the milestone (as seen in column Q of the table provided in point ii) of the evidence). Beneficiaries are identified in column G.

The evidence provided for a sample of 60 units (points iii and iv of the evidence provided) confirmed the data provided in the table (point ii) of the evidence) that the Spanish authorities have awarded a total budget of EUR 430.7 million, thus exceeding the goal of Milestone 453 by EUR 12.7 million.

The actions shall act on key industry aspects, such as:

- **boosting the national cybersecurity industry for the emergence, growth and development of businesses in this sector;**
- **developing high value-added solutions and services in the field of cybersecurity;**
- **train and develop talents specialised in the cybersecurity field;**

- **internationalization actions in the cybersecurity field;**
- **setting up of a demonstration centre for cybersecurity infrastructure development and creation of new cybersecurity services including test laboratories and cybersecurity attack simulators;**
- **development of cybersecurity label certifications.**

Column H of the table indicates which of the six key areas identified in the milestone description is covered by each of the actions. Some actions cover more than one key industry aspect. Each key industry aspect has been covered as follows:

- boosting the national cybersecurity industry for the emergence, growth and development of businesses in this sector: 128 actions cover this key area.
- developing high value-added solutions and services in the field of cybersecurity: 232 actions cover this key area.
- train and develop talents specialised in the cybersecurity field: 93 actions cover this key area.
- internationalisation actions in the cybersecurity field: 10 actions cover this key area.
- setting up of a demonstration centre for cybersecurity infrastructure development and creation of new cybersecurity services including test laboratories and cybersecurity attack simulators: eight actions cover this key area.
- development of cybersecurity label certifications: one action covers this key area.

The evidence provided for a sample of 60 units (points iii and iv of the evidence provided) confirmed the data provided in the table (point ii) of the evidence) that the Spanish authorities have awarded a total budget of EUR 430.7 million, beyond the EUR 418 million required by the CID Annex, through the award of 292 projects related to the six key industry aspects listed above.

Furthermore, the description of the measure requires specific actions to **boost the cybersecurity industrial ecosystem** focusing on (i) the national cybersecurity industry for the emergence, growth and development of new businesses in this sector; (ii) cybersecurity R&D&I, enabling the development of high value-added solutions and services; (iii) training and developing talents to meet the unmet demand for professionals in the sector; (iv) providing for the set-up of a demonstration centre for cybersecurity infrastructure development and the creation of new cybersecurity services including test laboratories and cybersecurity attack simulators, (v) and for the development of cybersecurity label certifications. The table included in points ii) of the evidence provided identifies which of these areas are covered in each action in columns K and L. As reflected in the table, these areas are covered as follows:

- the national cybersecurity industry for the emergence, growth and development of new businesses in this sector: 128 actions cover this key area (corresponding to the category *boosting the national cybersecurity industry for the emergence, growth and development of businesses in this sector);*
- cybersecurity R&D&I, enabling the development of high value-added solutions and services: 232 actions (corresponding to the category *Developing high value-added solutions and services in the field of cybersecurity);*

- Training and developing talents to meet the unmet demand for professionals in the sector: 93 actions (corresponding to the category *Train and develop talents specialised in the cybersecurity field);*
- providing for the set-up of a demonstration centre for cybersecurity infrastructure development and the creation of new cybersecurity services including test laboratories and cybersecurity attack simulators: eight actions (corresponding to the category *Setting up of a demonstration centre for cybersecurity infrastructure development and creation of new cybersecurity services including test laboratories and cybersecurity attack simulators*);
- The development of cybersecurity label certifications: one action (corresponding to *Development of cybersecurity label certifications).*

The evidence provided for a sample of 60 units consisting of the terms of reference and awards where possible, or alternatively, contracts, (point ii) of the evidence provided) confirmed that these key industry aspects have been addressed.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C17]-R[R2]-M[256], The mid-term evaluation of the Spanish Strategy for Science, Technology and Innovation 2021- 2027

Related Measure: ES-C[17]-R[R2], Spanish Strategy for Science, Technology and Innovation 2021-2027 and Advanced Development of the Science, Technology and Innovation Information System

Qualitative Indicator: Agreement in the Consejo de Política Científica, Tecnológica y de Innovación and publication of the evaluation in the Science and Innovation Ministry´s website

Time: Q4 2023

1. Context:

The objective of this measure is the adoption and mid-term evaluation of the Spanish Strategy for Science, Technology and Innovation 2021-2027 setting out the overall objectives for the sector in the period 2021-2027.

Milestone 256 requires the publication of the mid-term evaluation of the Spanish Strategy for Science, Technology and Innovation 2021-2027.

Milestone 256 is the second and final step of the implementation of reform C17.R2 and follows the completion of milestone 255 related to the Publication of the Spanish Strategy for Science, Technology and Innovation 2021-2027.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Copy of the mid-term evaluation of the Spanish Strategy for Science, Technology and Innovation 2021-2027 (Annex 1)

iii. Annex 3 Minutes of the meeting of 7 July 2020 of the Council for science, innovation and technology

iv. Copy of Law 14/2011, of 1 June 2011, on science, technology and innovation, published in the Official Journal (Boletín Oficial del Estado) No. 131 of 02 June 2011 (disposición 9617 de BOE num 131 de 2011, the “Law on science, technology and innovation”).

v. Copy of Spanish Strategy for Science, Technology and Innovation 2021-2027 (also available here: e8183a4d-3164-4f30-ac5f-d75f1ad55059)

vi. Website dedicated to the monitoring of the Spanish Strategy for Science, Technology and Innovation 2021-2027, including the indicators and the mid-term evaluation: Seguimiento y evaluación de la EECTI 2021-2027

vii. Annex 4 - List of indicators for monitoring Spanish Strategy for Science, Technology and Innovation 2021-2027.

viii. Science, Technology and Innovation system: SICTI

ix. Annex 5: User manual of the Science, Technology and Innovation system.

x. Annex 2: Yearly report on the Spanish Strategy for Science, Technology and Innovation 2023

xi. Annex 7: Yearly report on the Spanish Strategy for Science, Technology and Innovation 2023

xii. Decision of the Council of Ministers of 19 October 2021 creating the monitoring committee of the Spanish Strategy for Science, Technology and Innovation 2021-2027.

xiii. Annex 11: Minutes of the meeting of 12 September 2024 of the Monitoring Committee of the Spanish Strategy for Science, Technology and Innovation 2021-2027.

3. Analysis:

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

The mid-term evaluation carried out by the Monitoring Committee of the Spanish Strategy for Science, Technology and Innovation 2021-2027 shall be published in December 2023.

The mid-term evaluation of the Spanish Strategy for Science, Technology and Innovation 2021-2027 (included in point ii of the evidence – "the Strategy") was published in April 2024 by the Ministry of Science, Innovation and Universities.

The Council Implementing Decision required the mid-term evaluation to be published in December 2023. The mid-term evaluation was published five months later, in April 2024. Whilst this constitutes a minimal temporal substantive deviation from the requirement of the Council Implementing Decision, the delay between the expected publication of this evaluation and the actual publication is considered both limited and proportional, notably since there are no material consequences derived from the delay, nor does it imply any change in the content. Moreover, this limited 5-month delay in the mid-term evaluation does not limit any effect it may have as to the final implementation of the Strategy that runs until 2027. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled at the time of the assessment.

The Decision of the Council of Ministers of 19 October 2021 created the monitoring committee of the Strategy (point xii of the evidence). Articles 1 and 4 reflect the creation and mission, including the monitoring and evaluation of the Spanish Strategy for Science, Technology and Innovation 2021-2027.

The Council Implementing Decision required the mid-term evaluation to be carried out by the Monitoring Committee. In practice, he mid-term evaluation was not directly drafted by the Monitoring Committee but by the ministry staff, while the Monitoring Committee remained in charge of the work on evaluation overall (see point xiii of the evidence). Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, the objective to carry out a mid-term evaluation monitoring the implementation of the Strategy is still achieved. The fact that the drafting of the mid-term evaluation was done by the ministry before presenting it to the monitoring Committee itself for approval does not affect the progress towards the achievement of the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

Agreement in the Consejo de Política Científica, Tecnológica y de Innovación and publication of the evaluation in the Science and Innovation Ministry's website.

On 7 July 2020, the Consejo de Política Científica, Tecnológica y de Innovación agreed to create the Committee for the monitoring of the Strategy, as reflected in point iii of the evidence, point 3, for the purpose of monitoring and drawing up evaluation reports of the implementation of the Strategy. The mid-term evaluation was published on the website dedicated to monitoring of the Spanish Strategy for Science, Technology and Innovation 2021-2027, as included in point vi of the evidence.

The Council Implementing Decision required the mid-term evaluation to be agreed in the Consejo de Política Científica, Tecnológica y de Innovación. Instead, the mid-term evaluation was agreed by the Monitoring Committee (see point xiii of the evidence) which in turn was created at the request of the Consejo de Política Científica, Tecnológica y de Innovación (point iii of the evidence) and tasked by the Consejo with the evaluation work. Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, the objective to carry out a mid-term evaluation monitoring the implementation of the Strategy is still achieved. The fact that the procedure to agree on the mid-term evaluation took place within the Monitoring Committee instead of the Consejo de Política Científica, Tecnológica y de Innovación itself does not affect the progress towards the achievement of the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

The indicators to be used in the evaluation are agreed in the *Consejo de Política Científica, Tecnológica y de Innovación* (in which the 17 Autonomous Communities are represented), an indicative list of these indicators and data-search are established in the Spanish Strategy for Science, Technology and Innovation 2021-2027.

The *Consejo de Política Científica, Tecnológica y de Innovación* was formed as per Article 8 of the Law on science, technology and innovation, included in point iv of the evidence. Article 8.3 of such law established the composition of the Council, including representatives of the relevant ministries and of the 17 autonomous Communities.

The minutes of the meeting of 7 July 2020 of *the Consejo de Política Científica, Tecnológica y de Innovación* (included in point iii) of the evidence) approves the elaboration of the indicators, which are included in Chapter 8 (p.52) and Annex 3 (p.129) of the Spanish Strategy for Science, Technology and Innovation 2021-2027 (point v of the evidence), and also reflected in the website dedicated to the evaluation and monitoring of the Strategy, included in point vi of the evidence. The indicators to be used in the evaluation are also featured on the relevant website dedicated to the monitoring of the Spanish Strategy for Science, Technology and Innovation 2021-2027 (point vi of the evidence) where they reflect the progress on each of them yearly. It is duly explained on such website that the indicators are meant to feed the evaluation and monitoring of the strategy, allowing for any amendment, if necessary, with the aim of fulfilling the Commission's specific country recommendations in the field of R&D.

Moreover, the Decision of the Council of Ministers of 19 October 2021 creating the monitoring committee also contains the duty in Article 4.a) to monitor the implementation of the strategy on a yearly basis through the indicators (point xii of the evidence).

The Science, Technology and Innovation system is used to gather data on progress made in the implementation of the Strategy.

The Science, Technology and Innovation system is available here:(in point viii of the evidence). Its purpose is to gather data and provide detailed and extensive data on different topics related to the Strategy, such as R&D expenditure (available here: Gasto en I+D, through the link provided in point viii of the evidence), what actions are being financed: , available through the link provided in point viii of the evidence Actuaciones en I+D+I: ¿qué se financia?), or details on aid granted per pillar of action and region (Retorno de las ayudas del PEICTI, accessible through the link provided in point viii) This is also visible from the user manual of the tool, p.3, available at point ix of the evidence).

In line with the description of the measure**, to monitor and evaluate the strategy, a committee was set up with representation from the state, regions, economic and social agents, the scientific and innovative community and civil society**.

As explained above, the Decision of the Council of Ministers setting up the monitoring committee with the task of monitoring the strategy describes the members of the committee in Article 5 (point xii of the evidence), including representatives of ministries (Article 5(1) c to h), regions (Article 5(1) ñ), civil society (Article 5 (1) n), research community (Article 5 (1) m) and private parties such as member of the business community Article 5(1) n).

In line with the description of the measure, **the strategy shall provide for annual monitoring reports, a mid-term evaluation (by December 2023) and a final evaluation of the strategy shall be made public**.

The tasks of the monitoring committee of the Strategy as reflected in the Decision of the Council of Ministers of 19 October 2021 creating it (point xii of the evidence) include the elaboration of yearly reports and a final report of the implementation of the Strategy (Article 4). Yearly reports were published in 2022 and 2023 (available in points x and xi of the evidence provided). In addition to yearly reports and this mid-term evaluation, the strategy also clearly provides for a final evaluation to be drawn up a year and a half after the end of strategy, presumably thus for mid-2028 (point v of the evidence provided, p.51).

In line with the description of the measure, **the evaluations will also address the progress towards meeting the Country Specific Recommendations made to Spain in the area of research and development**.

The progress towards meeting the Country Specific Recommendations (CSRs) is carried out through the indicators. The indicators were specifically designed aiming at the implementation of the R&D related areas of the CSRs, as clearly stated in the evaluation website (point vii of the evidence – "T*he quantitative and qualitative indicators that will be used to review the Strategy and will allow the design of the State Plans to be adapted to meet the specific recommendations of the Country Report formulated by the European Commission to Spain in the area of R&D&I".* Originally in Spanish: "*los indicadores cuantitativos y cualitativos que se utilizarán para la revisión de la Estrategia y permitirán adecuar el diseño de los Planes Estatales hacia el cumplimiento de las recomendaciones específicas del Informe país formuladas por la Comisión Europea a España en el ámbito de la I+D+I*"). They are updated yearly, and thus provide for a yearly monitoring of progress.

The Council Implementing Decision required that the progress towards meeting the CSRs would be addressed through the yearly, midterm and final evaluations of the Strategy. Until now, the monitoring has

taken place through the indicators designed to that effect. They are not included in the yearly or midterm evaluations as such, but they are published on the website dedicated to the evaluation of the Strategy and updated yearly. Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, there is a measurable way of keeping track of progress through well-established indicators that are accessible and up to date. The fact that they appear on a website instead of a report does not affect the progress towards the achievement of the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

Notably, the Spanish Strategy for Science, Technology and Innovation 2021-2027 addresses the following CSRs:

- CSR 2018.3: *Increase public investment in research and innovation and systematically carry out evaluations of support policies in this area to ensure their effectiveness. Increase cooperation between education and businesses* with a view to mitigating existing skills mismatches. Further the implementation of the Law on Market Unity by ensuring that, at all levels of government, rules governing access to and exercise of economic activities, notably for services, are in line with principles of that law and by *improving cooperation between administrations.*

- CSR 2019.1: Ensure that the nominal growth rate of net primary government expenditure does not exceed 0.9 % in 2020, corresponding to an annual structural adjustment of 0.65 % of GDP. *Take measures to strengthen the fiscal and public procurement frameworks at all levels of government*. Preserve the sustainability of the pension system. Use windfall gains to accelerate the reduction of the general government debt ratio.

- CSR 2019.2: Ensure that employment services have the capacity to provide effective support and ensure that social services have the capacity to provide effective support. *Foster transitions towards open-ended contracts, including by simplifying the system of hiring incentives. Improve support for families*, reduce fragmentation of national unemployment assistance and address coverage gaps in regional minimum income schemes. Reduce early school leaving and improve educational outcomes, taking into account regional disparities. Increase cooperation between education and businesses with a view to improving the provision of labour market relevant skills and qualifications, in particular for information and communication technologies.

- CSR 2019.3: *Focus investment-related economic policy on fostering innovation, resource efficiency and energy efficiency*, upgrading rail freight infrastructure and extending electricity interconnections with the rest of the Union, taking into account regional disparities. *Enhance the effectiveness of policies supporting research and innovation.*

- CSR 2020.1: Take all necessary measures, in line with the general escape clause of the Stability and Growth Pact, *to effectively address the COVID-19 pandemic*, sustain the economy and support the ensuing recovery. When economic conditions allow, pursue fiscal policies aimed at achieving prudent medium-term fiscal positions and ensuring debt sustainability, while enhancing investment. *Strengthen the health system's resilience and capacity*, as regards health workers, critical medical products and infrastructure.

- CSR 2020.2: *Support employment* through arrangements to preserve jobs, effective hiring incentives and skills development. Reinforce unemployment protection, in particular for atypical

workers. Improve coverage and adequacy of minimum income schemes and family support, as well as access to digital learning.

- CSR 2020.3: Ensure the effective implementation of measures to provide liquidity to SMEs and the self-employed, including by avoiding late payments. Front-load mature public investment projects and promote private investment to foster the economic recovery. *Focus investment on the green and digital transition, in particular on fostering research and innovation, clean and efficient production and use of energy, energy infrastructure, water and waste management and sustainable transport*.
- CSR 2020.4: *Improve coordination between different levels of government and strengthen the public procurement framework* to support recovery in an efficient manner.

All indicators were designed to work towards achieving CSRs:

- The indicator on R&D expenditure relative to GDP measures progress regarding CSRs 2018.3, 2019.1, 2019.3, 2020.3;
- The indicator on Public sector R&D expenditure measures progress regarding CSRs 2018.3, 2019.1 2019.3, 2020.3;
- The indicator on Percentage of Spanish innovative enterprises measures progress regarding CSRs 2019.3, 2020.3;
- The indicator on Innovation intensity measures progress regarding CSRs 2019.3, 2020.3;
- The indicator on Percentage of Spanish innovative enterprises over potentially innovative Spanish enterprises measures progress regarding CSRs 2019.3, 2020.3;
- The indicator on Expenditure on business R&D relative to GDP (CSRs 2019.3, 2020.3);
- The indicator on Internal business R&D expenditure out of Total R&D expenditure measures progress regarding CSRs 2019.3, 2020.3;
- The indicator on Internal SME business R&D expenditure/Total enterprise R&D expenditure measures progress regarding CSRs 2019.3, 2020.3;
- The indicator on Internal business R&D expenditure of Large Enterprises/Total Enterprise R&D expenditure measures progress regarding CSRs 2019.3, 2020.3;
- The indicator on Purchase of business R&D out of total R&D expenditure measures progress regarding CSRs 2019.3, 2020.3;
- The indicator on Purchase of SME business R&D/Total enterprise R&D expenditure measures progress regarding CSRs 2019.3, 2020.3;
- The indicator on Purchase of business R&D from large enterprises/Total enterprise R&D expenditure measures progress regarding CSRs 2019.3, 2020.3;
- The indicator on Percentage of staff employed in R&D in relation to the population employed in business (FTE) measures progress regarding CSRs 2019.2, 2020.2;

- The indicator on Research staff dedicated to in-house R&D in enterprises/total staff dedicated to in-house R&D in enterprises in Spain (FTE) measures progress regarding CSRs 2019.2, 2020.2;
- The indicator on Women engaged in in-house R&D in companies/total staff dedicated to in-house R&D in Spain (FTE) measures progress regarding CSRs 2019.2, 2020.2;
- The indicator on Patent applications by companies measures progress regarding CSRs 2018.3, 2019.3, 2020.3;
- The indicator on Turnover of High and Medium-High Technology Manufactures sectors/GDP Industry measures progress regarding CSRs 2018.3, 2019.3, 2020.3;
- The indicator on Value of exports of high-tech goods versus Value of Exports of Industrial Products measures progress regarding CSRs 2019.3, 2020.3;
- The indicator on Percentage of publications among the top 10 % most cited in the world measures progress regarding CSRs 2018.3, 2020.1;
- The indicator on Percentage of collaborative publications measures progress regarding CSRs 2018.3, 2020.4;
- The indicator on Number of patents and percentage of co-ownership spin-offs created by public institutions measures progress regarding CSRs 2018.3, 2020.1;
- The indicator on Resources raised by public research institutions through project and service contracts measures progress regarding CSRs 2019.1, 2020.1, 2020.4;
- The indicator on Agreements for the exploitation of inventions by public centres measures progress regarding CSRs 2019.1, 2020.4, 2020.1.

In line with the description of the measure, **this measure specifically seeks to enhance the Science, Technology and Innovation information system, to improve the data collection and analysis for the monitoring of the Spanish Strategy for Science, Technology and Innovation**.

As explained above, the Science, Technology and Innovation system (point viii of the evidence) is the tool to gather and provide data. Through this measure a full system of indicators has been developed to provide a monitoring of progress in several areas linked to R&D. The full list of indicators is available in the dedicated website (point vi of the evidence) and is updated yearly, thereby providing data on detailed indicators regularly, allowing monitoring of the strategy and improving transparency.

In addition, the system has been significantly improved in recent years, as described in the minutes of the meeting of the monitoring committee of 12 September 2024 (point xiii of the evidence provided), for instance by allowing for more transparency and available data to monitoring implementation of the Strategy and R&D plans. This is visible from the website of the system: (point viii of the evidence), which includes links to datasets on several R&D related topics.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C17]-I[I3]-M[262], Award of R&I projects related to semiconductors, PERTE Chip, public-private collaboration and publication of tenders to finance pre-commercial public procurement

Related Measure: ES-C[17]-I[I3], New private, interdisciplinary, public R&D&I projects, concept tests and the award of aid as a result of international competitive calls. Cutting-edge R&D geared to societal challenges. Pre-commercial public procurement

Qualitative Indicator: Award of projects and publication of tenders

Time: Q2 2023

1. Context:

The objective of this investment is to strengthen knowledge generation, knowledge transfer and public-private partnerships in R&D&I. Through the actions under this investment, the research and innovation activity in the private sector shall be stepped up, and the collaboration between public research organizations and the private sector shall be reinforced. The measure also seeks to increase R&D&I activity in strategic areas, such as green and digital transition, as well as to increase the internationalization of Spanish research groups.

Milestone 262 concerns the award of at least 377 R&I projects, including 259 projects in public-private collaboration and 118 projects in the field of semiconductors linked to PERTE Chip. Additionally, it concerns the publication of eight tenders in the Spanish Official Procurement Platform to finance pre-commercial public procurement.

Milestone 262 is the second and final step of the implementation of investment C17.I3 and follows the completion of target 261 related to the publication in the Official Journal of at least EUR 897 000 000 awarded to projects under six calls: call for proof of concept projects (EUR 80 000 000), call for interdisciplinary projects in strategic lines (EUR 73 000 000), call for R&D projects linked to the green and digital transition (EUR 296 000 000), call for public-private collaboration projects (EUR 140 000 000), call for R&D to target societal challenges (EUR 230 000 000) and call for international collaboration projects (EUR 78 000 000).

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of the milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. A spreadsheet with a list of projects awarded, with for each of them a) the name of the project and a unique identifier; b) the name of the call or tender; c) for project awards, a list of the publication of the awards in the Spanish National Grant Database, with the appropriate links to the Official Journal or Spanish National Grant Database; d) for pre-commercial public procurement a list of the publication of the tenders in the Spanish Official Procurement Platform, with the appropriate links to the Spanish Official Procurement Platform e) an extract from the official documents containing the selection criteria that ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01), as specified in the CID Annex.

In relation to the Public-private Partnership Projects Call 2022:

iii. A copy of Ministerial Order (CIN/1502/2021) of 27 December 2021, approving the regulatory bases for the granting of public aid for public-private partnership projects, the State Programme for Boosting Science-Technical Research and its Transfer, the State Plan for Scientific, Technical and Innovation Research 2021-2023, as part of the Recovery, Transformation and Resilience Plan, published in the national Official Journal (*Boletín Oficial del Estado*) No. 314 on 31 December 2021 and entered into force on 1 January 2022 (Anexo_1.1.1) (hereinafter referred to as "Order CIN/1478/2021").

iv. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the call for proposals under the Public-private Partnership Projects Call 2022 on 28 December 2022 (Anexo_1.1.4).

v. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the resolution of the final awards under the Public-private Partnership Projects Call 2022 of 12 December 2023 (Anexo_1.1.3).

vi. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the decision to grant additional aid following an appeal for review under the Public-private Partnership Projects Call 2022 of 14 October 2024 (Anexo_1.1.5).

In relation to the Proof of Concept Call 2023:

vii. A copy of the publication in the Official Journal of Ministerial Order (CIN/417/2022) of 4 May 2022, approving the regulatory bases for granting public aid for proof of concept projects, the State Plan for Scientific, Technical and Innovation Research for the period 2021-2023, as part of the Recovery, Transformation and Resilience Plan, and approving the call for applications for 2022, published in the national Official Journal (*Boletín Oficial del Estado*) No. 113 on 12 May 2022 and entered into force on 13 May 2022 (Anexo_1.3.2) (hereinafter referred to as "Order CIN/417/2022").

viii. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the call for proposals under the Proof of Concept Call 2023, published on 20 September 2023 (Anexo_1.3.6).

ix. A copy of the publication in the National Database on Subsidies and Public Grants of the resolution of the final awards under the Proof of Concept Call 2023 of 13 May 2024 (Anexo_1.3.5).

In relation to the Missions Science and Innovation Call 2023:

x. A copy of the resolution of 25 May 2023 of the Chair the Centre for Technological Development and Innovation (hereinafter referred to as "CDTI"), approving the 2023 call for applications for the 'Science and Innovation Missions Programme' linked to the PERTE for microelectronics and semiconductors, as part of the State Programme to Catalyse Innovation and Business Leadership of the State Plan for Scientific and Technical Research and Innovation 2021-2023, as part of the

State Plan for Scientific and Technical Research and Innovation-Recovery and Resilience Plan (Anexo_2.3.1).

xi. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the resolution of the final awards under the Missions Science and Innovation Call 2023 of 29 December 2023 (Anexo_2.3.2).

In relation to pre-commercial public procurement:

xii. A link to the tender CPP 1/2022 AB (DCCPI/OCPI) for the INNOVATRAIL project related to pre-commercial public procurement for R&D services for the management of clinical trials/studies, published in the Spanish Official Procurement Platform on 25 June 2022.

xiii. A copy of the decision of 3 June 2022 of CDTI, publishing the Addendum amending and extending the Agreement with the Galician Health Service on the pre-commercial procurement of R&D services, published in the Official Journal *(Boletín Oficial del Estado*) No. 140 on 13 June 2022 and entered into force on 14 June 2022 (hereinafter referred to as "Adenda INNOVATRAIL").

xiv. A link to the tender CPP 01/2023 AB (DG/OCIE) for the SMALL SATTELITE LAUNCHER project related to pre-commercial public procurement for R&D services for the development of a prototype of small satellite launcher, published in the Spanish Official Procurement Platform on 29 January 2023.

xv. A copy of the decision of 16 February 2023 of the Agreement between CDTI and the Ministry of Defence, concerning the pre-commercial procurement of R&D services in the field of satellite earth observation, published in the Official Journal *(Boletín Oficial del Estado*) No. 42 on 18 February 2023 and entered into force on 19 February 2023 (hereinafter referred to as "Convenio SMALL SATTELITE LAUNCHER").

xvi. A link to tender CPP 5/2023 AB (DCCPI/OCPI) for the PRISONERS project related to pre-commercial public procurement for R&D services for technologically and environmentally sustainable advanced vehicles for the transfer of detainees, prisoners and criminals, published in the Spanish Official Procurement Platform on 8 November 2023.

xvii. A copy of the decision of 30 November 2023 of the Agreement between CDTI and the Ministry of the Interior, on the pre-commercial procurement of R&D services for the transfer of detainees, prisoners and prisoners, as part of the Recovery, Transformation and Resilience Plan, published in the Official Journal *(Boletín Oficial del Estado*) No. 292 on 7 December 2023 and entered into force on 8 December 2023 (hereinafter referred to as "Convenio PRISONERS").

xviii. A link to the tender CPP 6/2023AB (DCCPI/OCPI) for the BIO-REACTOR PLATFORM project related to pre-commercial public procurement for R&D services for the development of a prototype of bio-reactor platform, single-use production of cell-based biopharmaceuticals, published in the Spanish Official Procurement Platform on 5 November 2023.

xix. A copy of the resolution of 24 February 2023 of CDTI, publishing the agreement with the Carlos III Health Institute on the pre-commercial procurement of R&D services in the field of single-use bio-

reactor platforms for the production of autologous cell biopharmaceuticals under the Recovery, Transformation and Resilience Plan, published in the Official Journal *(Boletín Oficial del Estado*) No. 53 on 3 March 2023 and entered into force on 4 March 2023 (hereinafter referred to as "Convenio BIO-REACTOR PLATFORM").

xx. A link to the tender CPP 08/2023AB (DCCPI/OCPI) for the CEREBRAL PET project related to pre-commercial public procurement for R&D services in the field of 'high-resolution positron-emission tomography (pet) scanner for brain use', published in the Spanish Official Procurement Platform on 11 November 2023.

xxi. A copy of the decision of 27 October 2023 of CDTI, publishing the agreement with the Biomedical Online Research Centre for the pre-commercial procurement of R&D services under the Recovery, Transformation and Resilience Plan, published in the Official Journal *(Boletín Oficial del Estado*) No. 270 on 11 November 2023 and entered into force on 12 November 2023 (hereinafter referred to as "Convenio CEREBRAL PET").

xxii. A link to the tender CPP 09/2023AB (DCCPI/OCPI) for the NEUROMODULATION project related to pre-commercial public procurement for R&D services in the field of 'non-invasive neuromodulation technologies', published in the Spanish Official Procurement Platform on 11 November 2023.

xxiii. A copy of the decision of CDTI of 11 October 2023, publishing the agreement with the State Agency Superior Council of Scientific Research, M.P., for the pre-commercial procurement of R&D services under the Recovery, Transformation and Resilience Plan, published in the Official Journal *(Boletín Oficial del Estado*) No. 252 on 21 October 2023 and entered into force on 22 October 2023 (hereinafter referred to as "Convenio NEUROMODULATION").

xxiv. A link to the tender CPP 10/2023 AB (DCCPI/OCPI) for the H2HOSPITALES project related to pre-commercial public procurement for R&D services in the field of back-up systems with generation and storage based on green hydrogen, using by-products and integrable in the smart energy management of a hospital complex, published in the Spanish Official Procurement Platform on 11 November 2023.

xxv. A copy of the decision of 28 June 2023 of CDTI, publishing the agreement with the Catalan Health Institute on the pre-commercial procurement of R&D services, published in the Official Journal *(Boletín Oficial del Estado*) No. 164 on 11 July 2023 and entered into force on 12 July 2023 (hereinafter referred to as "Convenio H2HOSPITALES").

xxvi. A link to the tender CPP 03/2024 AB (DG/OCIE) for the SEPI-IA project related to pre-commercial public procurement for R&D services for prototype development of evolutive pulmonary simulation 'software' artificial intelligence interstitial, published in the Spanish Official Procurement Platform on 12 June 2024.

xxvii. A copy of the decision of CDTI of 30 November 2023, publishing the agreement with the Catalan Institute of Health for the pre-commercial procurement of R&D services in the context of the development of an artificial intelligence pulmonary dynamic simulation programme (SEPI-IA) as part of the Recovery, Transformation and Resilience Plan, published in the Official Journal *(Boletín*

Oficial del Estado) No. 296 on 12 December 2023 and entered into force on 13 December 2023 (hereinafter referred to as "Convenio SEPI-IA").

3. Analysis:

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

At least 377 R&I projects have been awarded, including 259 projects in public-private collaboration […]

- The State Research Agency (AEI) awarded 258 projects under the Public-private Partnership Projects Call 2022, with the publication of the resolution of the final awards in the National Database on Subsidies and Public Grants on 12 December 2023 (point v of the evidence provided).

- Following an appeals procedure an additional project was awarded with the publication of the decision to grant additional aid in the National Database on Subsidies and Public Grants on 14 October 2024 (point vii of the evidence provided), bringing the total number of projects awarded to 259.

- Pursuant to Article 1(2) of the call for proposals of the Public-private Partnership Projects Call 2022, published on 28 December 2022 in the Official Journal (point iv of the evidence provided), the purpose of the aid is to advance the incorporation of scientific and technical knowledge and results that enable the validation and pre-competitive development of new technologies, products and services, creating the right context that stimulates the generation of a critical mass in interdisciplinary R&D&I for their application, transfer, search for solutions and the generation of results both in the technology and innovation trajectories of companies and in the market.

In line with the description of the milestone, the total number of projects awarded in public-private collaboration is equal to 259.

Including 118 projects in the field of semiconductors linked to PERTE Chip.

- The State Research Agency (AEI) awarded 104 projects under the Proof of Concept Call 2023, with the publication of the resolution of the final awards in the National Database on Subsidies and Public Grants on 13 May 2024 (point ix of the evidence provided). Pursuant to Article 1(2) of the call for proposals of the Proof of Concept Call 2023, published on 20 September 2023 in the Official Journal (point viii of the evidence provided), the purpose of the aid is to finance projects that accelerate the transfer of knowledge and results, in the strategic area of microelectronics and semiconductors (Chips), generated in research projects, whether in progress or recently completed.

- CDTI awarded 14 projects under the Missions Science and Innovation Call 2023, with the publication of the resolution of the final awards in the National Database on Subsidies and Public Grants on 29 December 2023 (point xi of the evidence provided). Pursuant to Annex I of the call for proposals of the Missions Science and Innovation Call 2023, published on 25 May 2023 in the Official Journal (point x of the evidence provided), the purpose of the aid is enhancing R&D&I projects in the field of semiconductors by strengthening R&D&I in cutting-edge microelectronic design and alternative architectures.

In line with the description of the milestone, the total number of projects awarded in the field of semiconductors linked to the PERTE Chip is equal to 118.

Furthermore, in line with the description of the milestone, the total number of R&I projects awarded is equal to 377.

Additionally, eight tenders have been published in the Spanish Official Procurement Platform to finance pre-commercial public procurement.

CDTI published tender documents for the following eight pre-commercial public procurement projects in the Spanish Official Procurement Platform:

- INNOVATRAIL related to pre-commercial public procurement for R&D services for the management of clinical trials/studies (point xii of the evidence provided), published in the Spanish Official Procurement Platform on 25 June 2022.

- SMALL SATTELITE LAUNCHER related to pre-commercial public procurement for R&D services for the development of a prototype of small satellite launcher (point xiv of the evidence provided), published in the Spanish Official Procurement Platform on 29 January 2023.

- PRISONERS related to pre-commercial public procurement for R&D services for technologically and environmentally sustainable advanced vehicles for the transfer of detainees, prisoners and criminals (point xvi of the evidence provided), published in the Spanish Official Procurement Platform on 8 November 2023.

- BIO-REACTOR PLATFORM related to pre-commercial public procurement for R&D services for the development of a prototype of bio-reactor platform, single-use production of cell-based biopharmaceuticals (point xviii of the evidence provided), published in the Spanish Official Procurement Platform on 5 November 2023.

- CEREBRAL PET related to pre-commercial public procurement for R&D services in the field of 'high-resolution positron-emission tomography (pet) scanner for brain use' (point xx of the evidence provided), published in the Spanish Official Procurement Platform on 11 November 2023.

- NEUROMODULATION related to pre-commercial public procurement for R&D services in the field of 'non-invasive neuromodulation technologies' (point xxii of the evidence provided), published in the Spanish Official Procurement Platform on November 2023.

- H2HOSPITALES related to pre-commercial public procurement for R&D services in the field of back-up systems with generation and storage based on green hydrogen, using by-products and integrable in the smart energy management of a hospital complex (point xiv of the evidence provided), published in the Spanish Official Procurement Platform on 11 November 2023.

- SEPI-IA related to pre-commercial public procurement for R&D services for prototype development of evolutive pulmonary simulation 'software' artificial intelligence interstitial (SEPI-IA) (point xvi of the evidence provided), published in the Spanish Official Procurement Platform on 12 June 2024.

Furthermore, in line with the description of the measure **there are nine calls for proposals foreseen under this investment, including:**

A call to finance pre-commercial public procurement.

The Council Implementing Decision requires that the investment foresees nine calls, including a call to finance pre-commercial public procurement. The Spanish authorities awarded projects to finance pre-commercial public procurement via tender procedures for this purpose (points xii, xiv, xvi, xvii, xx, xxii, xxiv and xxvi of the evidence provided) and not through a call. Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, the award of projects to finance pre-commercial public procurement projects through tender procedures has no bearing on the projects awarded. As of this, this minimal deviation does not affect the progress towards achieving the investment that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

A call for R&D&I projects in the field of semiconductors ("Missions for Science and Innovation linked to the PERTE Chip").

Pursuant to Annex I of the call for proposals of the Missions Science and Innovation Call 2023, published on 25 May 2023 in the Official Journal (point x of the evidence provided), the purpose of the aid is strengthening R&D&I in cutting-edge microelectronic design and alternative architectures.

A call for proofs of concept in the field of semiconductors linked to the PERTE Chip.

Pursuant to Article 1(2) of the call for proposals of the Proof of Concept Call 2023, published on 20 September 2023 in the Official Journal (point viii of the evidence provided), the purpose of the aid is to finance projects that accelerate the transfer of knowledge and results, in the strategic area of microelectronics and semiconductors (Chips), generated in research projects, whether in progress or recently completed.

In line with the description of the measure, **investments take place during the period 2020-2026,** as confirmed by:

- Article 7(2)(b) of the call for proposals of the Public-private Partnership Projects Call 2022 of 28 December 2022 (point iv of the evidence provided), specifying that projects will last for 3 years and start their implementation on the date indicated in the application which must be included in the course of 2023.

- Article 2(3) of the call for proposals of the Missions Science and Innovation Call 2023 of 25 May 2023 (point x of the evidence provided), specifying that projects are due to be completed by 30 September 2025.

- Article 8(6) of the call for proposals of the Proof of Concept Call 2023, published on 20 September 2023 in the Official Journal (point viii of the evidence provided), specifying that the duration of projects (and sub-projects) will be 2 years and the starting date of projects will be throughout 2024.

- Clause 1 of “Adenda INNOVATRAIL” of 3 June 2022 (point xiii of the evidence provided), specifying that the deadline for implementation of the actions will be until December 2025 at the latest.

- Clause 1 of “Convenio SMALL SATTELITE LAUNCHER” of 16 February 2023 (point xv of the evidence provided), specifying that the deadline for carrying out the actions shall be 31 December 2025 at the latest.

- Clause 1 of “Convenio PRISONERS” of 30 November 2023 (point xvii of the evidence provided), specifying that the deadline for carrying out the actions shall be 31 December 2025 at the latest.

- Clause 1 of “Convenio BIO-REACTOR” Platform of 24 February 2023 (point xix of the evidence provided), specifying that the deadline for carrying out the actions shall be 31 December 2025 at the latest.

- Clause 1 of “Convenio CEREBRAL PET” of 27 October 2023 (point xxi of the evidence provided), specifying that the deadline for carrying out the actions shall be 31 December 2025 at the latest.

- Clause 1 of “Convenio NEUROMODULATION” of 11 October 2023 (point xxiii of the evidence provided), The deadline for implementation of the measures shall be 31 December 2025 at the latest.

- Clause 1 of “Convenio H2HOSPITALES” of 28 June 2023 (point xxv of the evidence provided), specifying that the deadline for carrying out the actions shall be 31 December 2025 at the latest.

- Clause 1 of “Convenio SEPI-IA” of 30 November 2023 (point xxvii of the evidence provided), specifying that the deadline for carrying out the actions shall be 28 February 2026 at the latest.

Furthermore, in line with the description of the measure, **calls for proposals and pre-commercial public procurement are concentrated in the period 2020-2025** as all the calls for proposals listed above have been published between 25 May 2023 and 20 September 2023, whereas the tenders for pre-commercial procurement have been published between 25 June 2022 and 12 June 2024.

The evaluation of projects and tenders under this investment shall ensure compliance with the ‘Do no significant harm’ Technical Guidance (2021/C58/01) as set out in the description of the measure.

The implementation of the measure complies with the ‘Do no significant harm’ Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation. The Council Implementing Decision required that upcoming calls for proposals shall include eligibility criteria contained in their terms of reference to exclude certain activities in order to ensure compliance with the ‘Do no significant harm’ Technical Guidance (2021/C58/01). In addition, the Council Implementing Decision required that the terms of reference shall require that only activities that comply with relevant EU and national environmental legislation may be selected. In order to ensure that the awarded projects comply with the DNSH Technical Guidance:

- Article 8(3) of “Order CIN/1478/2021” (point iii of the evidence provided), establishes that under no circumstances may measures be eligible for aid if they directly or indirectly cause significant harm to the environment and includes the exclusion list of activities enshrined in the Council

Implementing Decision Annex and its corresponding footnotes: 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. Activities covered by the DNSH exclusion list may not be supported by the aid provided.

- Article 8(5) of the same document requires that only those activities in compliance with the relevant EU and national environmental legislation can be selected.

- Article 8(4) of the same document lists the R&D&I actions considered compliant with the 'Do no significant harm' Technical Guidance (2021/C58/01) in the measure description in the Council Implementing Decision.

The same conditions are also enshrined in:

- Article 2(4) and 2(5) of call for proposals of the Missions Science and Innovation Call 2023 of 25 May 2023 (point x of the evidence provided).

- Articles 7(3), 7(4) and 7(5) of "Order CIN/417/2022" of 20 September 2023 (point vii of the evidence provided).

- Clause 3 of "Addenda INNOVATRAIL" of 3 June 2022 (point xiii of the evidence provided).

- Clause 3 of "Convenio SMALL SATTELITE LAUNCHER" of 16 February 2023 (point xv of the evidence provided).

- Annex III of "Convenio PRISONERS" of 30 November 2023 (point xvii of the evidence provided).

- Clause 1 of "Convenio BIO-REACTOR" Platform of 24 February 2023 (point xix of the evidence provided).

- Annex III of "Convenio CEREBRAL PET" of 27 October 2023 (point xxi of the evidence provided).

- Annex III of "Convenio NEUROMODULATION" of 11 October 2023 (point xxiii of the evidence provided).

- Annex III of "Convenio H2HOSPITALES" of 28 June 2023 (point xv of the evidence provided).

- Annex III of "Convenio SEPI-IA" of 30 November 2023 (point xvii of the evidence provided).

The publication of calls is in line with the further specification of the target in the Operational Arrangements, which requires that for the purposes of this operational arrangement, **projects awarded through multiple calls for proposals per thematic area are considered as valid verification mechanisms**.

4. Commission Preliminary Assessment: Satisfactory fulfilled.

Number and name of the Milestone: ES-C[C17]-I[I4]-T[263], Support to scientific research career through scholarships and grants

Related Measure: ES-C[17]-I[I4], New scientific career

Quantative Indicator: Number

Baseline: 0

Target: 2836

Time: Q2 2023

1. Context:

The measure aims to promote stable scientific careers in the form of grants to be awarded via competitive calls in the programmes for researchers. The measure also includes a research start-up package for 790 researchers with stable contracts in academic institutions or public research organisations as well as a specific research start-up package for 26 researchers in the field of microelectronics and semiconductors.

Target 263 concerns the enhancement of the Spanish scientific research career by the support of at least 2 020 researchers through the Juan de la Cierva Incorporation programme, Juan de la Cierva Training Programme, Industrial PhD Programme and Torres Quevedo Programme. Furthermore, at least 816 researchers must receive a "research start-up package" within the stable contract similar to Tenure Track, out of which 26 researchers have received a CHIP start-up research package.

Target 263 is the first step of the implementation of investment C17.I4 (New scientific career) and is followed by target 264 related the enhancement of the Spanish scientific research career by at least 2 070 researchers having completed the Juan de la Cierva Incorporation Programme, Juan de la Cierva Training Programme, Industrial PhD Programme and Torres Quevedo Programme. The investment has a final expected date for implementation by 30 June 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. A spreadsheet with the following documentation: a list of researchers awarded and for each of them: a) identification of the researcher name and unique identifier, b) the name of the program (Juan de la Cierva Incorporation Programme, Juan de la Cierva Training Programme, Industrial PhD Programme, Torres Quevedo Programme or "research start-up package") and c) a list of the publication of the awards in the national Official Journal or in the Spanish National Grant Database, with the appropriate links to the national Official Journal or Spanish National Grant Database.

iii. A spreadsheet with information on waived projects.

In relation to the Juan de la Cierva Incorporation Programme:

iv. A link to the Spanish National Database on Subsidies and Public Grants website where the call for proposals for aid under the Juan de la Cierva Incorporation Programme 2020 has been published on 27 November 2020 https://www.pap.hacienda.gob.es/bdnstrans/GE/es/convocatorias/533524.

v. A copy of Order CIN/1478/2021 of 27 December 2021, approving the regulatory bases for the granting aid under the Juan de le Cierva Incorporation Programme 2021, and approving the call for advance processing for 2021, published in the national Official Journal *(Boletín Oficial del Estado)* No. 312 on 29 December 2021 and entered into force on 30 December 2021 (Anexo_1.3) (hereinafter referred to as "Order CIN/1478/2021").

vi. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the first resolution of the final awards under the Juan de la Cierva Incorporation Programme 2020, published on 29 November 2021 (Anexo_1.1).

vii. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the second resolution of the final awards under the Juan de la Cierva Incorporation Programme 2020, published on 13 June 2022 (Anexo_1.2).

viii. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the first resolution of the final awards under the Juan de le Cierva Incorporation Programme 2021, published on 24 November 2022 (Anexo_1.4).

ix. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the second resolution of the final awards under the Juan de le Cierva Incorporation Programme 2021, published on 15 December 2022 (Anexo_1.5).

In relation to the Juan de la Cierva Training Programme:

x. A link to the Spanish National Database on Subsidies and Public Grants website where the call for proposals for aid under the Juan de la Cierva Training Programme 2020 has been published on 27 November 2020 https://www.pap.hacienda.gob.es/bdnstrans/GE/es/convocatorias/533515.

xi. A copy of Order CIN/1478/2021 of 27 December 2021, approving the regulatory bases for the granting aid under the Juan de le Cierva Training Programme 2021, and approving the call for advance processing for 2021, published in the national Official Journal *(Boletín Oficial del Estado)* No. 312 on 29 December 2021 and entered into force on 30 December 2021 (Anexo_1.3) (hereinafter referred to as "Order CIN/1478/2021").

xii. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the of the call for proposals under the Juan de la Cierva Training Programme 2022 on 19 December 2022 (Anexo_2.4).

xiii. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the first resolution of the final awards under the Juan de la Cierva Training Programme 2020, published on 29 November 2021 (Anexo_2.1).

xiv. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the second resolution of the final awards under the Juan de la Cierva Training Programme 2020, published on 13 June 2022 (Anexo_2.2).

xv. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the resolution of the final awards under the Juan de le Cierva Training Programme 2021, published on 17 November 2022 (Anexo_2.3).

xvi. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the resolution of the final awards under the Juan de la Cierva Training Programme 2022, published on 29 November 2023 (Anexo_2.5).

In relation to the Industrial PhD Programme:

xvii. A link to the Spanish National Database on Subsidies and Public Grants website where the call for proposals for aid under the Industrial PhD Programme 2020 has been published on 4 December 2020 https://www.pap.hacienda.gob.es/bdnstrans/GE/es/convocatorias/536213.

xviii. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the modification of the call for proposals under the Industrial PhD Programme 2020, published on 7 April 2021 (Anexo_3.1).

xix. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the first resolution of the final awards under the Industrial PhD Programme 2020, published on 15 October 2021 (Anexo_3.2).

xx. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the second resolution of the final awards under the Industrial PhD Programme 2020, published on 4 March 2022 (Anexo_3.3).

In relation to the Torres Quevedo Programme:

xxi. A link to the Spanish National Database on Subsidies and Public Grants website where the call for proposals for aid under the Torres Quevedo Programme 2020 has been published on 4 December 2020 https://www.pap.hacienda.gob.es/bdnstrans/GE/es/convocatorias/536207.

xxii. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the modification of the call for proposals under the Torres Quevedo Programme 2020, published on 7 April 2021 (Anexo_4.1).

xxiii. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the first resolution of the final awards under the Torres Quevedo Programme 2020, published on 18 October 2021 (Anexo_4.2).

xxiv. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the second resolution of the final awards under the Torres Quevedo Programme 2020, published on 4 March 2022 (Anexo_4.3).

In relation to the "research start-up package":

xxv. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the call for proposals under the Research Consolidation Programme 2022, published on 11 October 2022 (Anexo_5.3).

xxvi. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the call for proposals under the Research Consolidation Programme 2023, published on 5 July 2023 (Anexo_5.4).

xxvii. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the resolution of the final awards under the Research Consolidation Programme 2022 of 27 July 2023 (Anexo_5.1).

xxviii. A copy of the publication in the Spanish National Database on Subsidies and Public Grants of the resolution of the final awards under the Research Consolidation Programme 2023 of 10 June 2024 (Anexo_5.2).

xxix. A copy of order CIN/894/2022 of 12 September 2022, approving the regulatory bases for the granting of aid to incentivise research consolidation, the State Plan for Scientific, Technical and Innovation Research for the period 2021-2023, as part of the Recovery, Transformation and Resilience Plan, published in the national Official Journal *(Boletín Oficial del Estado)* No. 223 on 16 September 2022, and entered into force on 17 September 2022 (hereinafter referred to as "Order CIN/894/2022").

3. Analysis:

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

The Spanish scientific research career is enhanced by the support of at least 2 020 researchers through the Juan de la Cierva Incorporation Program, Juan de la Cierva Training Programme, Industrial PhD Programme and Torres Quevedo Programme.

To enhance Spanish scientific research careers, the State Research Agency (AEI) has awarded grants to support a total of 2 020 researchers through the following programmes:

Juan de la Cierva Incorporation Programme

- In 2020, grants were awarded to 261 researchers under the Juan de la Cierva Incorporation Programme 2020. A first resolution of the final awards was published in the National Database on Subsidies and Public Grants on 29 November 2021 (point vi of the evidence provided), awarding grants to 270 researchers. Following renunciations of the aid by 51 candidates, a second resolution

of the final awards was published in the National Database on Subsidies and Public Grants on 13 June 2022 (point vii of the evidence provided), awarding grants to 42 new candidates who had previously been on the reserve list.

- In 2021, grants were awarded to 635 researchers under the Juan de la Cierva Incorporation Programme 2021. A first resolution of the final awards was published in the National Database on Subsidies and Public Grants on 24 November 2022 (point viii of the evidence provided), awarding grants to 586 researchers. A second resolution of the final awards was published in the National Database on Subsidies and Public Grants on 15 December 2022 (point ix of the evidence provided), awarding grants to 49 new candidates who had previously been on the reserve list.

- Spain also provided a list of project waivers for a total of 53 projects awarded under the Juan de la Cierva Incorporation Programme 2020 and 2021 (point iii of the evidence provided).

In line with the description of the measure, **the total number of places for researchers supported by the Juan de la Cierva Incorporation Program is equal to or greater than 843**, as a total of 843 researchers have received grants under the programme.

Juan de la Cierva Training Programme

- In 2020, grants were awarded to 230 researchers under the Juan de la Cierva Training Programme 2020. A first resolution of the final awards was published in the National Database on Subsidies and Public Grants on 29 November 2021 (point xiii of the evidence provided), awarding grants to 267 researchers. Following renunciations of the aid by 84 candidates, a second resolution of the final awards was published in the National Database on Subsidies and Public Grants on 13 June 2022 (point xiv of the evidence provided), awarding grants to 47 new candidates who had previously been on the reserve list.

- In 2021, grants were awarded to 481 researchers under the Juan de la Cierva Training Programme 2021, with the publication of the resolution of the final awards in the National Database on Subsidies and Public Grants on 17 November 2022 (point xv of the evidence provided).

- In 2022, grants were awarded to 475 researchers under the Juan de la Cierva Training Programme 2022, with the publication of the resolution of the final awards in the National Database on Subsidies and Public Grants on 29 November 2023 (point xvi of the evidence provided).

- Spain also provided a list of project waivers for a total of 213 projects awarded under the Juan de la Cierva Training Programme 2020, 2021 and 2022 (point iii of the evidence provided).

In line with the description of the measure, **the total number of places for researchers supported by the Juan de la Cierva Incorporation Program is equal to or greater than 973**, as a total of 973 researchers have received grants under the programme.

Industrial PhD Programme

- In 2020, grants were awarded to 60 researchers under the Industrial PhD Programme 2020. A first resolution of the final awards was published in the National Database on Subsidies and Public Grants

on 15 October 2021 (point xix of the evidence provided), awarding grants to 60 researchers. Following renunciations of the aid by eight candidates, a second resolution of the final awards was published in the National Database on Subsidies and Public Grants on 4 March 2022 (point xx of the evidence provided), awarding grants to eight new candidates who had previously been on the reserve list.

- Spain also provided a list of project waivers for a total of 4 projects awarded under the Industrial Training Programme 2020 (point iii of the evidence provided).

In line with the description of the measure, **the total number of places for researchers supported by the Industrial PhD Programme is equal to or greater than 56**, as a total of 56 researchers have received grants under the programme.

Torres Quevedo Programme

- In 2020, grants were awarded to 161 researchers under the Torres Quevedo Programme 2020. A first resolution of the final awards was published in the National Database on Subsidies and Public Grants on 18 October 2021 (point xxiii of the evidence provided), awarding grants to 168 researchers. Following renunciations of the aid by 18 candidates, a second resolution of the final awards was published in the National Database on Subsidies and Public Grants on 4 March 2022 (point xxiv of the evidence provided), awarding grants to 11 researchers.

- Spain also provided a list of project waivers for a total of 13 projects awarded under the Torres Quevedo Programme 2020 (point iii of the evidence provided).

In line with the description of the measure, **the total number of places for researchers supported by the Industrial PhD Programme is equal to or greater than 148**, as a total of 148 researchers have received grants under the programme.

In line with the description of the measure, **the Juan de la Cierva Incorporation grant is a three-year programme for PhDs in academic institutions, including a research grant.**

- Pursuant to Article 63(1) of the call for proposals of the Juan de la Cierva Incorporation Programme 2020 (point iv of the evidence provided), published on 27 November 2020 in the National Database on Subsidies and Public Grants, the purpose of the aid is to encourage the recruitment of young people with a doctoral degree, for a period of three years, in order to secure the skills acquired during a first stage of post-doctoral training. The same purpose is defined in Article 51(2)(a) of the regulatory bases of the Juan de la Cierva Incorporation Programme 2021 of 27 December 2021 (point v of the evidence provided).

- Article 66(1) of the of the call for proposals of the Juan de la Cierva Incorporation Programme 2020 (point iv of the evidence provided) specifies that the duration of the aid granted shall be three years and shall begin to run from the date on which the research staff join their post at the contracting R&D centre. The same specification is enshrined in Article 51(2)(a) of the regulatory bases of the Juan de la Cierva Incorporation Programme 2021 of 27 December 2021 (point v of the evidence provided).

- Article 64(2) of the call for proposals of the Juan de la Cierva Incorporation Programme 2020 (point iv of the evidence provided) specifies the academic institutions that are eligible beneficiaries of the

aid. The same specification is provided in Article 5 of the regulatory bases of the Juan de la Cierva Incorporation Programme 2021 of 27 December 2021 (point v of the evidence provided).

In line with the description of the measure, **the Juan de la Cierva Training grant is a two-year programme for PhDs in academic institutions, including a mobility grant**.

- Pursuant to Article 35(1) of the call for proposals of the Juan de la Cierva Training Programme 2020 (point x of the evidence provided), published on 27 November 2020 in the National Database on Subsidies and Public Grants, the purpose of the aid is to encourage the employment of young people with a doctoral degree, for a period of two years, in order to complete their post-doctoral research training in Spanish R&D centres other than those in which they carried out their pre-doctoral training. The same purpose is defined in Articles 66(1), 68(1)(b) and 69(1) of the regulatory bases of the Juan de la Cierva Training Programme 2021 of 27 December 2021 (point xi of the evidence provided), as well as Articles 1(2), 6(1)(b) and 7(1) of the call for proposals of the Juan de la Cierva Training Programme 2022 (point xii of the evidence provided), published on 19 December 2022.

- Article 36(2) of the call for proposals of the Juan de la Cierva Training Programme 2020 (point x of the evidence provided) specifies the academic institutions that are eligible beneficiaries of the aid. The same specification is provided in Article 67(2) of the regulatory bases of the Juan de la Cierva Training Programme 2021 of 27 December 2021 (point xi of the evidence provided), as well as Article 5(2) of the call for proposals of the Juan de la Cierva Training Programme 2022 (point xii of the evidence provided).

In line with the description of the measure, **the Industrial PhD Programme is a four-year programme for PhD students in-company.**

- Pursuant to Article 33(1) of the call for proposals of the Industrial PhD Programme 2020 (point xvii of the evidence provided), published on 4 December 2020 in the National Database on Subsidies and Public Grants, the purpose of the aid is to promote the implementation of industrial research or experimental development projects in enterprises, which form part of a doctoral thesis, in order to promote the integration of researchers into the labour market from the start of their careers, to contribute to the employability of these researchers and to promote the incorporation of talent into the productive fabric in order to increase its competitiveness. The same article specifies that the industrial research or experimental development project can be fully implemented in a company or in collaboration between a company and another public or private entity.

- Article 36(1) of the call for proposals of the Industrial PhD Programme 2020 (point xvii of the evidence provided) specifies that the duration of the aid must be four years, and the starting date of the aid shall be within the deadline for the submission of contracts.

In line with the description of the measure, **the Torres Quevedo grant is a three-year programme for PhD researcher in-company**.

- Pursuant to Article 33(1) of the call for proposals of the Torres Quevedo Programme 2020 (point xxi of the evidence provided), published on 4 December 2020 in the National Database on Subsidies and Public Grants, the purpose of the aid is to promote the implementation of industrial research projects, experimental development projects or previous feasibility studies in enterprises, state

technology centres, state technology innovation support centres, business associations and science and technology parks, for which the recruitment of doctoral graduates is required, in order to promote the professional career of research staff, as well as to stimulate demand in the private sector for staff sufficiently prepared to undertake R&D plans and projects, and to assist in the consolidation of newly created technology companies.

- The Council Implementing Decision states that "the Torres Quevedo grant is a three-year programme for PhD researcher in-company". Pursuant to Article 20(1) of the Torres Quevedo Programme 2020 (point xxi of the evidence provided) beneficiaries of the aid are: companies, including spin-off companies; technology centres at state level; technology innovation support centres at state level; business associations; and science and technology parks. Considering that the list of beneficiaries' common goal is improving business innovation, this list is in line with the original intention of the measure, as included in the Recovery and Resilience Plan, of improving talented researchers' connection with the private sector.

- Article 22(1) of the same document specifies that the duration of the aid shall be three years, and the starting date of the aid must be within the time limit for the submission of contracts.

At least 816 researchers having received a "research start-up package" within the stable contract similar to Tenure Track, out of which 26 researchers have received a CHIP start-up research package.

The State Research Agency (AEI) has awarded grants to a total of 816 researchers through the following programmes:

- In 2022, grants were awarded to 411 researchers under the Research Consolidation Programme 2022, with the publication of the resolution of the final awards in the National Database on Subsidies and Public Grants on 27 July 2023 (point xxvii of the evidence provided).

- In 2023, grants were awarded to 405 researchers under the Research Consolidation Programme 2023, with the publication of the resolution of the final awards in the National Database on Subsidies and Public Grants on 10 June 2024 (point xxviii of the evidence provided). Out of the 405 researchers, 26 received a CHIP start-up research package.

- The awarded grants constitute the "start-up package" for researchers within a stable contract similar to the Tenure Track academic career by (i) lasting for several years and by (ii) evaluating the beneficiary's performance against specific evaluation criteria.

In line with the description of the measure, **the measure also includes a research start-up package for 816 researchers with stable contracts in academic institutions or public research organisations as well as a specific research start-up package for 26 researchers in the field of microelectronics and semiconductors.**

- Pursuant to Article 1(2) of the call for proposals of the Research Consolidation Programme 2022 (point xxv of the evidence provided), published on 11 October 2022 in the National Database on Subsidies and Public Grants, the purpose of the aid is to promote the consolidation of the career of researchers, both national and foreign, so that they can develop their careers within the Spanish Science, Technology and Innovation System (SECTI), by encouraging the creation of permanent posts.

The same purpose is also enshrined in Article 1(2) of the call for proposals of the Research Consolidation programme 2023 (point xxvi of the evidence provided), published on 5 July 2023 in the National Database on Subsidies and Public Grants.

- Pursuant to Article 5(1) of the call for proposals of the Research Consolidation Programme 2022 (point xxv of the evidence provided), the entities that are eligible for aid may be those included in Article 5 of the regulatory bases. Article 5(3) of the same document specifies that applicants and beneficiaries must meet the definition and conditions to be research and knowledge-dissemination organisations, in accordance with points 1 and 2 of Annex I to the regulatory bases. The same specification is enshrined in Article 5(1) and 5(3) of the call for proposals of the Research Consolidation Programme 2023 (point xxvi of the evidence provided). A definition of eligible beneficiaries is covered in Annex 1 of the regulatory bases (Order CIN/894/2022) and includes academic institutions and public research organisations (point xxix of the evidence provided).

- Pursuant to Article 1(3) of the call for proposals of the Research Consolidation programme 2023 (point xxvi of the evidence provided), within the overall objective of promoting the consolidation of the career of researchers, this call specifically promotes the consolidation of people whose research field falls within one of the established strategic themes, artificial intelligence (AI) and microelectronics and semiconductors (CHIPS).

- As mentioned above, a total of 816 researchers have received grants under the Research Consolidation Programme 2022 and Research Consolidation Programme 2023, out of which 26 received a CHIP start-up package.

In line with the goal of the target, the total number of places for researchers supported by the measures is equal to or greater than 2 836, as a total of 2 836 researchers have received grants under the programmes listed above.

In line with the description of the measure, **support takes the form of grants awarded via competitive calls.**

- Pursuant to Article 63(1) of the call for proposals of the Juan de la Cierva Incorporation Programme 2020 (point iv) of the evidence provided), published on 27 November 2020 in the National Database on Subsidies and Public Grants, the aid provided for in this call for applications will be granted on a competitive basis.

The same specification is enshrined in:

- Article 4(1) of the regulatory bases of the Juan de la Cierva Incorporation Programme 2021 of 27 December 2021 (point v) of the evidence provided);

- Article 2(1) of the call for proposals of the Juan de la Cierva Training Programme 2020 (point x of the evidence provided), published on 27 November 2020 in the National Database on Subsidies and Public Grants;

- Article 4(1) of the regulatory bases of the Juan de la Cierva Training Programme 2021 of 27 December 2021 (point xi of the evidence provided);

- Article 2(1) of the call for proposals of the Juan de la Cierva Training Programme 2022 (point xii of the evidence provided), published on 19 December 2022 in the National Database on Subsidies and Public Grants;

- Article 2(1) of the call for proposals of the Industrial PhD Programme 2020 (point xvii) of the evidence provided), published on 4 December 2020 in the National Database on Subsidies and Public Grants;

- Article 2(1) of the call for proposals of the Torres Quevedo Programme 2020 (point xxi) of the evidence provided), published on 4 December 2020 in the National Database on Subsidies and Public Grants;

- Article 2(1) of the call for proposals of the Research Consolidation Programme 2022 (point xxv) of the evidence provided), published on 11 October 2022 in the National Database on Subsidies and Public Grants; and

- Article 2(1) of the call for proposals of the Research Consolidation Programme 2023 (point xxvi) of the evidence provided), published on 5 July 2023 in the National Database on Subsidies and Public Grants.

4. Commission Preliminary Assessment: Satisfactory fulfilled.

Number and name of the Milestone: ES-C[C17]-I[I5]-T[265], Innovative and technology-based companies have received capital under the program INNVIERTE to strengthen their research activities at an early stage

Related Measure: ES-C[17]-I[I5], Knowledge transfer

Quantitative Indicator: Number

Baseline: 0

Target: 45

Time: Q4 2024

1. Context:

The measure aims to promote technology transfer and support the transferring of research results on innovative technologies. It includes six specific actions to enhance knowledge transfers.

Target 265 concerns the reception of capital by at least 45 innovative and technology-based companies under the programme INNVIERTE to strengthen their research activities at an early stage. The INNVIERTE programme aims to promote entrepreneurial innovation by supporting venture capital investment in technology-based or innovative companies.

Target 265 is a first step of the implementation of investment C17.I5 (Knowledge transfer) and it is concurrent with target 266 related to the award of grants under NEOTEC calls to at least 348 new technology-based firms to carry out their business plan. It will be followed by target 459 related to the completion for a total amount of EUR 118 800 000 of projects awarded under the (i) call for innovation ecosystems based on the Cervera Networks of Excellence; (ii) the improvement of the capacities and orientation of the Research Results Transfer Offices; (iii) the call for Cervera Grants to technology centres, research centres and SMEs and midcaps to carry out R&D in priority technologies; and (iv) the call for support to Spanish SMEs with the European seal of excellence.

The investment has a final expected date for implementation by 31 August 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Excel table including the list of invested entities, indicating the name, budget invested by public and private parties, scope of the investment and DNSH compliance;

iii. Annex 8: Statutes of INNVIERTE ECONOMIA SOSTENIBLE;

iv. Annexes 23.1-3: Agreements between INNVIERTE ECONOMIA SOSTENIBLE and BEABLE INNVIERTE SCIENCE EQUITY FUND FCRE, INNVIERTE SCIENCE TECH BULLNET CAPITAL, FCRE and INNVIERTE SCIENCE TECH CLAVE INNOHEALTH, FCR (“the venture capital investment funds”);

v. Annexes 10.1-27: Documents presenting the beneficiaries to the Board of INNVIERTE ECONOMIA SOSTENIBLE;

vi. Annex 11: Terms of reference of the selection procedure of the venture capital investment funds;

vii. Annexes 15.1-3: Venture capital investment funds' investment strategies;

viii. Annexes 17.1-27: co-investments agreements between INNVIERTE ECONOMIA SOSTENIBLE and private parties reflecting co-investment obligations;

ix. Annexes 19.1-3: certifications showing the private investors participation in the investment vehicles, alongside INNVIERTE ECONOMIA SOSTENIBLE;

x. Annexes 5.1-27: bank transfers from INNVIERTE ECONOMIA SOSTENIBLE to the beneficiaries.

xi. Annexes 6.1-3: bank transfer of funds from INNVIERTE ECONOMIA SOSTENIBLE to the venture capital investment funds;

xii. Annexes 7.1-21: bank transfers from the venture capital investment funds to the beneficiaries.

xiii. Annexes 25.1-3: Letters of approval of venture capital investment funds;

xiv. Annex 13: Evaluation report for the venture capital investment funds;

xv. Annexes 20.1-48: Obligations imposed on beneficiaries receiving investments from INNVIERTE ECONOMIA SOSTENIBLE;

xvi. Annexes 21.1-48 (uploaded on 28.02.2025): Evaluation of compliance with DNSH principle.

3. Analysis:

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

To promote technology transfer and help the creation of an innovative business fabric based on innovative technologies, at least 45 innovative and technology-based companies have received capital under the programme INNVIERTE to strengthen their research activities at an early stage.

By 31 December 2023, 48 companies had received capital under the INNVIERTE programme, through the public company INNVIERTE ECONOMIA SOSTENIBLE, 3 more than required in the description of the target. Capital investments have been carried out in two ways:

- Through direct investments of INNVIERTE ECONOMIA SOSTENIBLE: 27 beneficiaries that have received capital this way, as explained below.
- Through investment funds: INNVIERTE ECONOMIA SOSTENIBLE set up three investments funds specialised in technology transfers and entered into agreements with three venture capital investment funds specialised in technology to manage them: BEABLE INNVIERTE SCIENCE EQUITY FUND FCRE, INNVIERTE SCIENCE TECH BULLNET CAPITAL FCRE and INNVIERTE SCIENCE TECH CLAVE INNOHEALTH, FCR ("venture capital investment funds"): 21 beneficiaries have received funding in this way, as explained below. The terms of the agreements between INNVIERTE

ECONOMIA SOSTENIBLE and the venture capital investment funds are included in point iv) of the evidence provided (Annexes 23).

In addition, all 48 companies are innovative and technology-based companies. The statutes of INNVIERTE ECONOMIA SOSTENIBLE state that the investment policy is focused on technology-based and innovative companies as shown in Annex 8, Article 10, point iii) of the evidence provided. In addition:

- In the case of direct investments, the assessment fiches/reports of the beneficiaries presented to the Board of INNVIERTE ECONOMIA SOSTENIBLE clearly assess their innovative and technology-based nature (point v) of the evidence - Annexes 10).
- In the case of investment through investment funds, the focus of investments on innovative and technology-based companies is identified in the evaluation report for BEABLE INNVIERTE SCIENCE EQUITY FUND FCRE and INNVIERTE SCIENCE TECH BULLNET CAPITAL, FCRE (point xiv of the evidence - Annex 13, *criterio 2,* pages 3 and 7 respectively) and in the venture capital investment fund's strategy for INNVIERTE SCIENCE TECH CLAVE INNOHEALTH, FCR as included in point vii of the evidence - Annex 15.2, Article 14.

The objective of the investment is to promote technology transfer and help the creation of an innovative business fabric based on innovative technologies and to strengthen their research activities at an early stage (point iii) of the evidence - Annex 8, Article 10).

Disbursement of the funds to the beneficiaries is proven by:

- In the case of direct investments, bank transfers from INNVIERTE ECONOMIA SOSTENIBLE to the beneficiaries are included in point x) of the evidence - Annexes 5.
- In the case of investments through investment funds, bank transfer of funds from INNVIERTE ECONOMIA SOSTENIBLE to the venture capital investment funds are included in point xi) of the evidence (Annexes 6) and subsequent bank transfers from the venture capital investment funds to the beneficiaries are included in point xii) of the evidence - Annexes 7.

All of these companies have also received investment from the private sector.

All 48 companies receive investments also from the private sector:

- In the case of direct investments, specific co-investments agreements have been signed between INNVIERTE ECONOMIA SOSTENIBLE and private parties defining the co-investment obligations of both parties (point viii) of the evidence - Annexes 17). The specific beneficiary concerned by each agreement is spelled out in the exhibition point III ("EXPONEN […] III.")
- In the case of investment through investment funds, both the statutes of INNVIERTE ECONOMIA SOSTENIBLE (point iii) of the evidence - Annex 8, Article 10 (b)) and the terms of reference of the selection procedure of the venture capital investment funds (point vi) of the evidence - Annex 11, point 3) include the requirement that beneficiaries are not solely receiving public investments.

The evaluation of projects under this investment shall ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) as set out in the description of the measure.

Compliance with the “Do no significant harm” principle is guaranteed by including it in the obligations imposed and electronically signed by all beneficiaries in the obligations imposed on companies receiving investments from INNVIERTE ECONOMIA SOSTENIBLE, either directly or through venture capital investment funds. These are clearly contained in point xv) of the evidence provided - Annexes 20, Section 3, paragraph 5.

The approval letters of all three venture capital investments funds included in point xiii of the evidence (Annexes 25) also reflect the obligation to comply with this principle. Specific reports confirming compliance with the “Do no significant harm” principle are included for each project (point xvi) of the evidence - Annexes 21).

In line with the description of the measure on **creating a flexible legal vehicle to co-invest in technological start-ups,** as well as concerning the action on **risk capital support to co-invest and invest in companies with strategic technologies through a technology transfer fund**, as explained above, investments in 48 technological companies have been carried out. They have been carried out through different means, either through direct investments from INNVIERTE ECONOMIA SOSTENIBLE to beneficiaries (points iii), v), x) of the evidence - Annexes 8, 9, 5 respectively), or through the creation of three investment funds specialised in technology transfers (points iv), xiv), vii), xi), xii) - Annexes 23, 13, 15, 6, 7 respectively), which allows for more flexibility and for investments to take place in a more agile way. As explained above, all investments also include private investment (points viii), iii), vi) of the evidence - Annexes 17, 8, 11 respectively).

In line with the description of the measure **to ensure that the measure complies with the ‘Do no significant harm’**, as explained above all beneficiaries accepted the obligation to comply with this principle (point xv) of the evidence - Annexes 20, Section 3, paragraph 5) and every project is accompanied by a report confirming compliance (point xvi) of the evidence - Annexes 21).

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C17]-I[I5]-T[266], Support to young technology-based firms to carry on their business plan

Related Measure: ES-C[17]-I[I5], Knowledge transfer

Quantative Indicator: Number

Baseline: 0

Target: 348

Time: Q2 2024

1. Context:

The measure aims to promote technology transfer and support the transfer of research results on innovative technologies. It includes six specific actions to enhance knowledge transfers: (i) a call "Innovation ecosystems based on the Cervera Networks of Excellence"; (ii) improvement of the capacities and orientation of the Research Results Transfer Offices; (iii) calls for Cervera Grants to technology centres, research centres and SMEs and midcaps to carry out R&D in priority technologies; (iv) a call for support to Spanish SMEs with the European seal of excellence; (v) risk capital support to co-invest and invest in companies with strategic technologies through a technology transfer fund; and vi) support to NEOTEC, an ongoing R&D framework programme to support the creation and consolidation of technology-based companies.

Target 266 concerns the award of grants under NEOTEC calls to at least 348 new technology-based firms to carry out their business plan. The NEOTEC grants aim to promote technology transfers and help the creation of new companies based on innovative technologies. The companies receiving these grants shall be three or less years old and shall be innovative enterprises as defined in Regulation (EU) No 651/2014 of 17 June 2014 (GBER).

Target 266 is the first step of the implementation of investment C17.I5 (Knowledge transfer) and it is concurrent with target 265 related to the reception of capital by at least 45 innovative and technology-based companies under the programme INNVIERTE to strengthen their research activities at an early stage. It will be followed by target 459 related to the completion for a total amount of EUR 118 800 000 of projects awarded under the (i) the call for innovation ecosystems based on the Cervera Networks of Excellence; (ii) the improvement of the capacities and orientation of the Research Results Transfer Offices; (iii) the call for Cervera Grants to technology centres, research centres and SMEs and midcaps to carry out R&D in priority technologies; and (iv) the call for support to Spanish SMEs with the European seal of excellence. The investment has a final expected date for implementation by 31 August 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. A list of technology-based firms to which a grant has been given to carry out their business plan though calls for NEOTEC, including for each: a) the name of the company, b) a reference to the

specific call, and c) a list of the publication of the awards in the national Official Journal *(Boletín Oficial del Estado)* or in the Spanish National Grant Database, with the appropriate links to the national Official Journal or Spanish National Grant Database.

iii. A copy of Ministerial Order (CNU/1308/2018) of 28 November 2018, approving the regulatory bases for the grant by the Centre for Industrial Technological Development (hereinafter referred to as "CDTI") of public aid under the State Business R&D&I Subprogramme of the State Plan for Scientific and Technical Research and Innovation 2017-2020, intended for enterprises, published in the national Official Journal *(Boletín Oficial del Estado)* No. 297 on 10 December 2018 and entered into force on 11 December 2018.

iv. A copy of Ministerial Order CNU/373/2022 of 26 April 2022, approving the regulatory bases for granting public aid by CDTI, to R&D projects and new business projects under the State Plan for Scientific and Technical Research and Innovation 2021-2023, as part of the Recovery, Transformation and Resilience Plan, published in the national Official Journal *(Boletín Oficial del Estado)* No. 103 on 30 April 2022 and entered into force on 1 May 2022 (hereinafter referred to as "Ministerial Order CNU/373/2022").

v. A copy of the resolution of 7 May 2021 of the Chair of CDTI, approving the 2021 call for applications for aid for new business projects in innovative enterprises (NEOTEC Programme) under the Recovery, Transformation and Resilience Plan and the State Subprogramme for Enterprise R&D&I under the State Plan for Scientific and Technical Research and Innovation 2017-2020.

vi. A copy of the resolution of 10 May 2022 of the Chair of CDTI, approving the 2022 call for applications for aid for new business projects in innovative enterprises (NEOTEC Programme) under the Recovery, Transformation and Resilience Plan and the State Innovative Growth Subprogramme under the State Plan for Scientific and Technical Research and Innovation 2021-2023.

vii. A copy of the resolution of 21 February 2023 of the Chair of CDTI, approving the 2023 call for applications for aid for new business projects in innovative enterprises (NEOTEC Programme) under the Recovery, Transformation and Resilience Plan and the State Innovative Growth Subprogramme under the State Plan for Scientific and Technical Research and Innovation 2021-2023.

viii. A copy of the resolution of the final awards under the 2021 Call for the NEOTEC Programme of 25 January 2022.

ix. A copy of the resolution of the final awards under the 2022 Call for the NEOTEC Programme of 5 April 2023.

x. A copy of the resolution of the final awards under the 2023 Call for the NEOTEC Programme of 30 November 2023.

3. Analysis:

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

Through the calls for NEOTEC grants, to promote technology transfer and help the creation of new companies based on innovative technologies: At least 348 new technology-based firms granted to carry on their business plan.

CDTI granted awards to 355 companies by means of three calls for NEOTEC grants:

- The resolution of final awards under the 2021 Call for the NEOTEC Programme of 25 January 2022 (point viii of the evidence provided) granted awards to 125 companies.
- The resolution of final awards under the 2022 Call for the NEOTEC Programme of 5 April 2023 (point ix of the evidence provided), granted awards to 115 companies.
- The resolution of final awards under the 2023 Call for the NEOTEC Programme of 30 November 2023 (point x of the evidence provided), granted awards to 115 companies.

Pursuant to Article 1(2) of the call for proposals for the NEOTEC Programme 2021 of 7 May 2021 (point v of the evidence provided) the calls aim to promote technology transfer and help the creation of new companies based on innovative technologies. The Article specifies that aid subject to the call is granted to companies to carry on their business plan and will finance the start-up of new business projects, which require the use of technologies or knowledge developed from the research activity and where the business strategy is based on technology development. It also states that it is a bonus for people with a doctoral degree to join the company to strengthen its capacity to absorb and generate knowledge. The same condition is enshrined in Article 1(2) of the call for proposals for the NEOTEC Programme 2022 of 10 May 2022 (point vi) of the evidence provided) and Article 1(2) of the call for proposals for the NEOTEC Programme 2023 of 21 February 2023 (point vii) of the evidence provided).

Furthermore, in line with the description of the measure, **support to NEOTEC [is], an ongoing R&D framework programme to support the creation and consolidation of technology-based companies.**

The companies receiving aid should be three or less years old.

Pursuant to Article 3(b) of the call for proposals for the NEOTEC Programme 2021 of 7 May 2021 (point v of the evidence provided) beneficiaries of the aid must be constituted no later than three years prior to the closing date for submitting applications for aid under this call for applications, from the date on which the company's articles of association were drawn up. The same condition is also enshrined in Article 3(b) of the call for proposals for the NEOTEC Programme 2022 of 10 May 2022 (point vi of the evidence provided) and Article 3(b) of the call for proposals for the NEOTEC Programme 2023 of 21 February 2023 (point vii of the evidence provided). In addition, Article 3(b) of the call for proposals for the NEOTEC Programme 2022 of 10 May 2022 (point vi of the evidence provided) and Article 3(b) of the call for proposals for the NEOTEC Programme 2023 of 21 February 2023 (point vii of the evidence provided) further specify that in the case of eligible undertakings which are not required to register, the three-year period may be considered to start from the moment the undertaking commences its economic activity or from which it is subject to tax on its economic activity.

The companies should be innovative enterprises as defined in the GBER.

The regulatory bases of the 2021, 2022 and 2023 NEOTEC calls require that only innovative enterprises as defined in the GBER are eligible to receive grants.

Annex I of Ministerial Order (CNU/1308/2018) of 28 November 2018 (point iii of the evidence provided), approving regulatory bases for the grant by CDTI of public aid under the State Business R& D&I Subprogramme of the State Plan for Scientific and Technical Research and Innovation 2017-2020 intended for enterprises, defines as innovative enterprise an enterprises that:

- can demonstrate, by means of an evaluation carried out by an external expert that it will in the foreseeable future develop products, services or processes which are new or substantially improved compared to the state of the art in its industry, and which carry a risk of technological or industrial failure, or
- the research and development costs of which represent at least 10 % of its total operating costs in at least one of the three years preceding the granting of the aid or, in the case of a start-up enterprise without any financial history, in the audit of its current fiscal period, as certified by an external auditor.

This definition is a copy of the definition of "innovative enterprise" in Article 2(80)(a) and (b) of Regulation (EU) No 651/2014 of 17 June 2014 (hereinafter referred to as "GBER").

The same definition is also enshrined in Annex I of Ministerial Order CNU/373/2022 (point iv of the evidence provided), approving the regulatory bases for granting public aid by CDTI to R&D projects and new business projects under the State Plan for Scientific and Technical Research and Innovation 2021-2023, as part of the Recovery, Transformation and Resilience Plan.

In line with the description of the measure, **the actions under this investment shall take place mainly with calls for proposals**, as the award of grants under the NEOTEC Programme was organised through calls for proposals in 2021, 2022 and 2023 as demonstrated by the approval of the respective calls for proposals (points v, vi and vii of the evidence provided).

The implementation of the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation. The Council Implementing Decision required that upcoming calls for proposals shall include eligibility criteria contained in their terms of reference to exclude certain activities in order to ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01). In addition, the Council Implementing Decision required that the terms of reference shall require that only activities that comply with relevant EU and national environmental legislation may be selected. In order to ensure that the awarded projects comply with the DNSH Technical Guidance:

- Article 5(5) of the resolution of 10 May 2022 of the Chair of CDTI approving the 2022 call for applications under the NEOTEC Programme (point vi of the evidence provided) specifies that actions that directly or indirectly cause significant harm to the environment in accordance with Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 may not be eligible for aid. In particular the following activities may not be supported;
    - Those related to fossil fuels, including downstream use unless they relate to electricity generation or heat, using natural gas, as well as related transmission and distribution infrastructure, that comply with the conditions set out in Annex III of the 'Do no significant harm'

(DNSH) Technical Guidance under the Recovery and Resilience Facility Regulation (2021/C 58/01.

- Those included under the EU Emissions Trading System (ETS) whose estimated greenhouse gas emissions are not lower than the benchmarks. If the activity supported does not lead to estimates of greenhouse gas emissions that are significantly lower than the expected parameters, a report detailing the reasons for this should be provided. The revised benchmark values for free allocation of emission allowances are provided for in Commission Implementing Regulation (EU) 2021/447 of 12 March 2021.
- Compensation of indirect costs in the EU ETS.
- Waste landfills, incinerators and mechanical biological treatment plants. This exclusion does not apply to measures that invest in plants exclusively dedicated to the treatment of non-recyclable hazardous waste, provided that the measures supported are aimed at: increased energy efficiency, capture of exhaust gases for storage or use or recovery of materials from incineration ashes; they do not entail an increase in waste processing capacity or an extension of the lifetime of the plant.
- Those where the long-term disposal of waste can cause damage to the environment.

- Article 5(8) of the same document requires that only those activities in compliance with the relevant EU and national environmental legislation can be selected.

The same conditions are also enshrined in Articles 5(5) and 5(6) of the resolution of 21 February 2023 of CDTI approving the 2023 call for applications under the NEOTEC Programme (point vii of the evidence provided).

The call for proposals under the NEOTEC Programme 2021 of 7 May 2021 was published prior to the adoption of the Council Implementing Decision. For this call, the activities covered by the DNSH exclusion list and/or the requirement that only activities that comply with relevant EU and national environmental legislation may be selected, are instead included in the resolution of the final awards, confirming that compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) was ensured during the evaluation of projects. In particular, Article 3(8) of the resolution of the final awards under the 2021 Call for the NEOTEC Programme of 25 January 2022 (point viii of the evidence provided) establishes that the implementation of the supported actions shall not significantly harm the environment, 'DNSH principle', in accordance with Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088. Nor may those which do not ensure compliance with national and Community environmental implementing legislation be implemented. The Article includes the exclusion list of activities required by the Council Implementing Decision Annex.

In line with the description of the measure, **that a pre-defined list of R&D&I actions under this investment shall be considered compliant with the 'Do no significant harm Technical Guidance (2021/C58/01)**, Spain has specified in the summary document (point i of the evidence provided) and the spreadsheet listing the projects awarded (point ii of the evidence provided) that none of the projects awarded concern actions that are covered by this pre-defined list.

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C17]-I[I9]-T[271], Support to R&D & Innovation projects in the aerospace field, with focus on low and zero emission

Related Measure: ES-C[17]-I[I9], Aerospace

Quantitative Indicator: Number

Baseline: 0

Target: 65

Time: Q2 2023

1. Context:

The investment aims to foster the research development and innovation in the aerospace sector, with a primary focus on low or zero carbon aerospace technologies and aeronautics. The measure seeks to improve industrial capacities related to the future low and zero emissions aircraft, critical technological developments related to unmanned aerial vehicles, embarked systems, multipurpose aircraft, and advanced manufacturing systems that include the creation of digital twins, promoting efficiency, and lower consumption of resources or lower environmental impact.

Target 271 requires that: (i) at least 65 companies have been awarded R&D&I projects in the aerospace field, with a focus on low and zero emissions, including investments related to aerospace technologies and aeronautics, with support from the *Aeronáutica Plan*; (ii) projects are implemented by business consortia of 3 to 6 businesses (at least one has to be SME), maximum 3 years long; and (iii) the evaluation of projects under this investment ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) as set out in the description of the measure.

Target 271 is the first step of the implementation of the investment, and it will be followed by milestone 461, target 262 and target 462, respectively related to i) the publication of awards of calls for R&D&I in the aerospace sector, ii) the completion of the R&D& Innovation projects in the aerospace field, with a focus on low and zero emission, and iii) the disbursement of funds to projects under PERTE Aerospace. The investment has a final expected date for implementation in 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. A spreadsheet with a list of projects awarded, with for each of them a) the reference and link to the Spanish National Grant Database where the award has been published; b) the name of the project and beneficiary company; c) extract of the relevant specifications of the call providing alignment with the description of the target and investment in the CID annex; d) the abstract of the project (including its field) and the characteristics of the consortium; e) extract of the official documents containing the selection criteria that ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01), as specified in the CID Annex.

In relation to the 2021 call for the Aeronautical Technological Programme:

iii. The resolution of 31 March 2021 of the Presidency of the Centre for Technological Development and Innovation, approving the call for the year 2021 of the procedure for granting aid for strategic sectoral initiatives for business innovation ('Aeronautical Technological Programme'), as part of the Recovery, Transformation and Resilience Plan and the State Programme for Corporate Leadership in R & D & I, the State Plan for Scientific and Technical Research and Innovation 2017-2020 (hereinafter referred to as 'the 2021 call for the Aeronautical Technological Programme').

iv. The of the 21 May 2021 resolution amending the 2021 call for the Aeronautical Technological Programme (hereinafter referred to as 'the resolution amending the 2021 call for the Aeronautical Technological Programme').

v. The resolution of final awards under the 2021 call for the Aeronautical Technological Programme (PTA) of 22 December 2021.

vi. The correction of materials errors of 31 May 2022 and 26 September 2022 of the resolution of final awards under the 2021 call for the Aeronautical Technological Programme.

In relation to the 2022 call for the Aeronautical Technological Programme:

vii. The resolution of 2 June 2022 of the Presidency of the Centre for Technological Development and Innovation, approving the call for the year 2022 of the procedure for granting aid for strategic sectoral initiatives for business innovation ('Aeronautical Technological Programme'), of the State Programme to Catalyze Innovation and Business Leadership of the State Plan for Scientific and Technical Research and Innovation 2021-2023, within the framework of the Recovery, Transformation and Resilience Plan (hereinafter referred to as 'the 2022 call for the Aeronautical Technological Programme').

viii. The of the 21 June 2022 resolution amending the 2022 call for the Aeronautical Technological Programme (hereinafter referred to as 'the resolution amending the 2022 call for the Aeronautical Technological Programme').

ix. The resolution of final awards under the 2022 call for the Aeronautical Technological Programme (PTA) of 22 December 2022.

In relation to the 2023 call for the Aeronautical Technological Programme:

x. The Resolution of 21 March 2023 of the Presidency of the Centre for Technological Development and Innovation, approving the call for the year 2023 of the procedure for granting aid for strategic sectoral initiatives for business innovation ('Aeronautical Technological Programme'), of the State Programme to Catalyse Innovation and Business Leadership of the State Plan for Scientific and Technical Research and Innovation 2021-2023, within the framework of the Recovery, Transformation and Resilience Plan (hereinafter referred to as 'the 2023 call for the Aeronautical Technological Programme').

xi. The resolution of final awards under the 2023 call for the Aeronautical Technological Programme (PTA) of 22 December 2023.

xii. The technical evaluation reports for all projects awarded meeting the CID requirements:

- Anexo_15_271O_C17_I09_MICIU_EvaluacionCT PTAG20211001_SP6
- Anexo_16_271O_C17_I09_MICIU_EvaluacionCT PTAG20211002_SP6
- Anexo_17_271O_C17_I09_MICIU_EvaluacionCT PTAG20211006_SP6
- Anexo_19_271O_C17_I09_MICIU_EvaluacionCT PTAG20211008_SP6
- Anexo_20_271O_C17_I09_MICIU_EvaluacionCT PTAG20211012_SP6
- Anexo_23_271O_C17_I09_MICIU_EvaluacionCT PTAP20211001_SP6
- Anexo_24_271O_C17_I09_MICIU_EvaluacionCT PTAP20211002_SP6
- Anexo_25_271O_C17_I09_MICIU_EvaluacionCT PTAP20211003_SP6
- Anexo_26_271O_C17_I09_MICIU_EvaluacionCT PTAP20211004_SP6
- Anexo_27_271O_C17_I09_MICIU_EvaluacionCT PTAE20221001_SP6
- Anexo_28_271O_C17_I09_MICIU_EvaluacionCT PTAG20221001_SP6
- Anexo_29_271O_C17_I09_MICIU_EvaluacionCT PTAG20221002_SP6
- Anexo_30_271O_C17_I09_MICIU_EvaluacionCT PTAG20221003_SP6
- Anexo_31_271O_C17_I09_MICIU_EvaluacionCT PTAG20221005_SP6
- Anexo_32_271O_C17_I09_MICIU_EvaluacionCT PTAG20221006_SP6
- Anexo_33_271O_C17_I09_MICIU_EvaluacionCT PTAG20221010_SP6
- Anexo_34_271O_C17_I09_MICIU_EvaluacionCT PTAG20221017_SP6
- Anexo_35_271O_C17_I09_MICIU_EvaluacionCT PTAG20221018_SP6
- Anexo_36_271O_C17_I09_MICIU_EvaluacionCT PTAG20221019_SP6
- Anexo_37_271O_C17_I09_MICIU_EvaluacionCT PTAG20221021_SP6
- Anexo_38_271O_C17_I09_MICIU_EvaluacionCT PTAP20221003_SP6
- Anexo_39_271O_C17_I09_MICIU_EvaluacionCT PTAP20221004_SP6
- Anexo_40_271O_C17_I09_MICIU_EvaluacionCT PTAP20221006_SP6
- Anexo_41_271O_C17_I09_MICIU_EvaluacionCT PTAP20221007_SP6
- Anexo_42_271O_C17_I09_MICIU_EvaluacionCT PTAP20221009_SP6
- Anexo_43_271O_C17_I09_MICIU_EvaluacionCT PTAP20221013_SP6
- Anexo_44_271O_C17_I09_MICIU_EvaluacionCT PTAP20221016_SP6
- Anexo_45_271O_C17_I09_MICIU_EvaluacionCT PTAP20221017_SP6
- Anexo_46_271O_C17_I09_MICIU_EvaluacionCT PTAG20231001_SP6

- Anexo_47_271O_C17_I09_MICIU_EvaluacionCT PTAG20231002_SP6
- Anexo_48_271O_C17_I09_MICIU_EvaluacionCT PTAG20231003_SP6
- Anexo_49_271O_C17_I09_MICIU_EvaluacionCT PTAG20231004_SP6
- Anexo_50_271O_C17_I09_MICIU_EvaluacionCT PTAG20231006_SP6
- Anexo_51_271O_C17_I09_MICIU_EvaluacionCT PTAG20231007_SP6
- Anexo_52_271O_C17_I09_MICIU_EvaluacionCT PTAG20231008_SP6
- Anexo_53_271O_C17_I09_MICIU_EvaluacionCT PTAG20231009_SP6
- Anexo_54_271O_C17_I09_MICIU_EvaluacionCT PTAG20231016_SP6
- Anexo_55_271O_C17_I09_MICIU_EvaluacionCT PTAG20231017_SP6
- Anexo_56_271O_C17_I09_MICIU_EvaluacionCT PTAP20231001_SP6
- Anexo_57_271O_C17_I09_MICIU_EvaluacionCT PTAP20231002_SP6
- Anexo_58_271O_C17_I09_MICIU_EvaluacionCT PTAP20231003_SP6
- Anexo_59_271O_C17_I09_MICIU_EvaluacionCT PTAP20231004_SP6
- Anexo_60_271O_C17_I09_MICIU_EvaluacionCT PTAP20231005_SP6
- Anexo_61_271O_C17_I09_MICIU_EvaluacionCT PTAP20231008_SP6
- Anexo_62_271O_C17_I09_MICIU_EvaluacionCT PTAP20231009_SP6
- Anexo_63_271O_C17_I09_MICIU_EvaluacionCT PTAP20231010_SP6
- Anexo_65_271O_C17_I09_MICIU_EvaluacionCT PTAP20231012_SP6
- Anexo_66_271O_C17_I09_MICIU_EvaluacionCT PTAP20231013_SP6
- Anexo_67_271O_C17_I09_MICIU_EvaluacionCT PTAP20231014_SP6
- Anexo_68_271O_C17_I09_MICIU_EvaluacionCT PTAP20231017_SP6
- Anexo_69_271O_C17_I09_MICIU_EvaluacionCT PTAP20231018_SP6
- Anexo_70_271O_C17_I09_MICIU_EvaluacionCT PTAP20231019_SP6
- Anexo_71_271O_C17_I09_MICIU_EvaluacionCT PTAP20231022_SP6
- Anexo_72_271O_C17_I09_MICIU_EvaluacionCT PTAP20231023_SP6

xiii. Self-declarations of DNSH compliance for all projects awarded meeting the CID requirements:

- Anexo_74_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20211001_SP6
- Anexo_75_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20211002_SP6
- Anexo_76_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20211006_SP6

- Anexo_78_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20211008_SP6
- Anexo_79_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20211012_SP6
- Anexo_82_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20211001_SP6
- Anexo_83_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20211002_SP6
- Anexo_84_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20211003_SP6
- Anexo_85_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20211004_SP6
- Anexo_86_271O_C17_I09_MICIU_CumplimientoDNSH PTAE20221001_SP6
- Anexo_87_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20221001_SP6
- Anexo_88_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20221002_SP6
- Anexo_89_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20221003_SP6
- Anexo_90_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20221005_SP6
- Anexo_91_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20221006_SP6
- Anexo_92_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20221010_SP6
- Anexo_93_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20221017_SP6
- Anexo_94_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20221018_SP6
- Anexo_95_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20221019_SP6
- Anexo_96_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20221021_SP6
- Anexo_97_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20221003_SP6
- Anexo_98_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20221004_SP6
- Anexo_99_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20221006_SP6
- Anexo_100_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20221007_SP6
- Anexo_101_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20221009_SP6
- Anexo_102_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20221013_SP6
- Anexo_103_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20221016_SP6
- Anexo_104_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20221017_SP6
- Anexo_105_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20231001_SP6
- Anexo_106_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20231002_SP6
- Anexo_107_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20231003_SP6
- Anexo_108_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20231004_SP6

- Anexo_109_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20231006_SP6
- Anexo_110_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20231007_SP6
- Anexo_111_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20231008_SP6
- Anexo_112_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20231009_SP
- Anexo_113_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20231016_SP6
- Anexo_114_271O_C17_I09_MICIU_CumplimientoDNSH PTAG20231017_SP6
- Anexo_115_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231001_SP6
- Anexo_116_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231002_SP6
- Anexo_117_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231003_SP6
- Anexo_118_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231004_SP6
- Anexo_119_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231005_SP6
- Anexo_120_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231008_SP6
- Anexo_121_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231009_SP6
- Anexo_122_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231010_SP6
- Anexo_124_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231012_SP6
- Anexo_125_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231013_SP6
- Anexo_126_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231014_SP6
- Anexo_127_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231017_SP6
- Anexo_128_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231018_SP6
- Anexo_129_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231019_SP6
- Anexo_130_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231022_SP6
- Anexo_131_271O_C17_I09_MICIU_CumplimientoDNSH PTAP20231023_SP6

xiv. Assessment reports on DNSH compliance for all projects awarded meeting the CID requirements:

- Anexo_133_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20211001_SP6
- Anexo_134_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20211002_SP6
- Anexo_135_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20211006_SP6
- Anexo_137_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20211008_SP6
- Anexo_138_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20211012_SP6
- Anexo_141_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20211001_SP6

- Anexo_142_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20211002_SP6
- Anexo_143_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20211003_SP6
- Anexo_144_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20211004_SP6
- Anexo_145_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAE20221001_SP6
- Anexo_146_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20221001_SP6
- Anexo_147_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20221002_SP6
- Anexo_148_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20221003_SP6
- Anexo_149_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20221005_SP6
- Anexo_150_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20221006_SP6
- Anexo_151_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20221010_SP6
- Anexo_152_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20221017_SP6
- Anexo_153_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20221018_SP6
- Anexo_154_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20221019_SP6
- Anexo_155_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20221021_SP6
- Anexo_156_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20221003_SP6
- Anexo_157_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20221004_SP6
- Anexo_158_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20221006_SP6
- Anexo_159_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20221007_SP6
- Anexo_160_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20221009_SP6
- Anexo_161_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20221013_SP6
- Anexo_162_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20221016_SP6
- Anexo_163_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20221017_SP6
- Anexo_164_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20231001_SP6
- Anexo_165_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20231002_SP6
- Anexo_166_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20231003_SP6
- Anexo_167_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20231004_SP6
- Anexo_168_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20231006_SP6
- Anexo_169_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20231007_SP6
- Anexo_170_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20231008_SP6

- Anexo_171_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20231009_SP6
- Anexo_172_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20231016_SP6
- Anexo_173_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAG20231017_SP6
- Anexo_174_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231001_SP6
- Anexo_175_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231002_SP6
- Anexo_176_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231003_SP6
- Anexo_177_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231004_SP6
- Anexo_178_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231005_SP6
- Anexo_179_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231008_SP6
- Anexo_180_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231009_SP6
- Anexo_181_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231010_SP6
- Anexo_183_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231012_SP6
- Anexo_184_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231013_SP6
- Anexo_185_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231014_SP6
- Anexo_186_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231017_SP6
- Anexo_187_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231018_SP6
- Anexo_188_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231019_SP6
- Anexo_189_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231022_SP6
- Anexo_190_271O_C17_I09_MICIU_InformeEvaluacionDNSH PTAP20231023_SP6

3. Analysis:

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

At least 65 companies have been awarded R&D&I projects in the aerospace field, with a focus on low and zero emissions, including investments related to aerospace technologies and aeronautics, with support from the *Aeronáutica* Plan.

The Centre for Technological Development and Innovation (CDTI) awarded a total of 54 R&D&I projects in the aerospace field to 159 companies by means of:

- The resolution of final awards under the 2021 call for the Aeronautical Technological Programme (PTA) of 22 December 2021 (point v of the evidence provided), awarding 9 projects to 38 companies, and the correction of materials errors of 31 May 2022 and 26 September 2022 of the resolution of final awards under the 2021 call for the Aeronautical Technological Programme (point vi of the evidence provided).

- The resolution of final awards under the 2022 call for the Aeronautical Technological Programme (PTA) of 22 December 2022 (point ix of the evidence provided), awarding 19 projects to 60 companies that did not previously benefit from grants under the 2021 call.

- The resolution of final awards under the 2023 call for the Aeronautical Technological Programme (PTA) of 22 December 2023 (point xi of the evidence provided), awarding 26 projects to 61 companies that did not previously benefit from grants under the 2022 and 2023 calls.

The R&D&I projects awarded that comply with the CID requirements are listed in the spreadsheet submitted by the Spanish authorities (point ii of the evidence provided). The number "159 companies" excludes all companies which do not fulfil the different requirements of the target, notably in terms of duration or composition of projects.

- The projects awarded are R&D&I projects in the aerospace field.

Article 1 (1) of the 2021, 2022 and 2023 calls for the Aeronautical Technological Programme (point iii, vii, and x of the evidence provided) stipulates that the subject of the three calls is to respectively approve the 2021, 2022 and 2023 calls for grants for R&D&I projects for the financing of strategic sectoral initiatives for business innovation in the aerospace field. Furthermore, Article 2 (1) of the 2021, 2022 and 2023 calls for the Aeronautical Technological Programme provides that the projects supported under the calls are R&D projects.

- The R&D&I projects awarded have a focus on low and zero emissions, as more than half of the projects deal with low and zero emissions.

Pursuant to Article 2(2) of the 2021, 2022 and 2023 calls for the Aeronautical Technological Programme, projects must fall within one of the technological challenges identified in annex 1 of each call. The challenge "technologies focused on emissions reduction: zero-emissions aircraft" (*Tecnologías enfocadas a la reducción de emisiones: avión cero emisiones)* is listed in annex 1 of the three calls for proposals (page 32 in the 2021 call, page 38 in the 2022 call, and page 40 in the 2023 call) and concerns the development of technologies aiming at significantly or completely reduce air pollutant emissions. The focus of a project can be found in the technical evaluation reports (point xii of the evidence provided) submitted by the Spanish authorities, on the "challenge" (*reto*) line (page 1). The 29 projects that focus on low and zero emissions belong to the challenge "*Tecnologías enfocadas a la reducción de emisiones: avión cero emisiones*" are listed below:

- Project *Tecnologías para operar aviones con zero emisiones* (Anexo_15_271O_C17_I09_MICIU_EvaluacionCT PTAG20211001_SP6).

- Project *Tecnologías para superficies sustentadoras avanzadas en preimpregnado industrialmente optimizadas* (Anexo_16_271O_C17_I09_MICIU_EvaluacionCT PTAG20211002_SP6).

- Project *Componentes y sistemas aeronáuticos del futuro* (Anexo_17_271O_C17_I09_MICIU_EvaluacionCT PTAG20211006_SP6).

- Project *Sección trasera integrada para la nueva generación de aviones eficientes* (Anexo_19_271O_C17_I09_MICIU_EvaluacionCT PTAG20211008_SP6).

- Project *Materiales y procesos avanzados de bajo coste para aviones de alta cadencia* (Anexo_20_271O_C17_I09_MICIU_EvaluacionCT PTAG20211012_SP6).
- Project *Panel de sección cónica de fuselaje con cuadernas, vigas y larguerillos cocurados* (Anexo_23_271O_C17_I09_MICIU_EvaluacionCT PTAP20211001_SP6).
- Project *Propulsión a hidrógeno innovadora avanzada e inteligente* (Anexo_25_271O_C17_I09_MICIU_EvaluacionCT PTAP20211003_SP6).
- Project *Hacía una aviación más sostenible y competitiva mediante la implementación de tecnologías de protección activa y sensores basados en ultrasonidos en aeroestructuras de aluminio* (Anexo_26_271O_C17_I09_MICIU_EvaluacionCT PTAP20211004_SP6).
- Project *Iron npe* (Anexo_27_271O_C17_I09_MICIU_EvaluacionCT PTAE20221001_SP6).
- Project *Ttecnologías de fibra óptica para una plataforma centralizada de sensado de h2* (Anexo_30_271O_C17_I09_MICIU_EvaluacionCT PTAG20221003_SP6).
- Project *Helicoptero disruptivo del futuro – lider* (Anexo_31_271O_C17_I09_MICIU_EvaluacionCT PTAG20221005_SP6).
- Project *Avances en propulsión eléctrica con turbomáquinas* (Anexo_34_271O_C17_I09_MICIU_EvaluacionCT PTAG20221017_SP6).
- Project *Aeroestructuras innovadoras orientadas a la reducción de emisiones* (Anexo_36_271O_C17_I09_MICIU_EvaluacionCT PTAG20221019_SP6).
- Project *Criogenia y pilas de combustible de hidrógeno en aviación* (Anexo_37_271O_C17_I09_MICIU_EvaluacionCT PTAG20221021_SP6).
- Project *Aeromateriales avanzados con capacidades acústicas extremas para la industria aeronáutica civil* (Anexo_40_271O_C17_I09_MICIU_EvaluacionCT PTAP20221006_SP6).
- Project *Impulsando la completa reciclabilidad de los materiales compuestos en el sector aeronáutico* (Anexo_42_271O_C17_I09_MICIU_EvaluacionCT PTAP20221009_SP6).
- Project *Dron autonomo con sistema hidrógeno* (Anexo_43_271O_C17_I09_MICIU_EvaluacionCT PTAP20221013_SP6).
- Project *Sustitución definitiva del cromo duro hexavalente en el sector aeronáutico* (Anexo_44_271O_C17_I09_MICIU_EvaluacionCT PTAP20221016_SP6).
- Project *Descarbonizacion del transporte aéreo y aumento de la autonomía de uas a través de soluciones de aeroestructuras eficientes y sistemas de energia basados en hidrógeno y amoniaco verde* (Anexo_45_271O_C17_I09_MICIU_EvaluacionCT PTAP20221017_SP6).
- Project *Tecnologías para integración de motores open fan de nueva generación (topfan)* (Anexo_46_271O_C17_I09_MICIU_EvaluacionCT PTAG20231001_SP6).

- Project *Concepto nuevo para propulsion basada en amoniaco e hidrógeno con aplicación a la reconversión de aeron(h3)aves para una aviación descarbonizada* (Anexo_48_271O_C17_I09_MICIU_EvaluacionCT PTAG20231003_SP6).
- Project *Utilización de hidrógeno en base líquida en unidades de potencia auxiliar* (Anexo_49_271O_C17_I09_MICIU_EvaluacionCT PTAG20231004_SP6).
- Project *Tecnologías de sistemas eléctricos de potencia para la descarbonización de la aviación (power)* (Anexo_51_271O_C17_I09_MICIU_EvaluacionCT PTAG20231007_SP6).
- Project *Conceptos y estudios para aviones de transporte de cero emisiones* (Anexo_52_271O_C17_I09_MICIU_EvaluacionCT PTAG20231008_SP6).
- Project *Aplicación de la fabricación aditiva a la mejora de la eficiencia de taxis aéreos energizados eléctricamente* (Anexo_58_271O_C17_I09_MICIU_EvaluacionCT PTAP20231003_SP6).
- Project *Aeroestructuras con propiedades superficiales avanzadas para el avión cero emisiones* (Anexo_63_271O_C17_I09_MICIU_EvaluacionCT PTAP20231010_SP6).
- Project *Tecnologías de almacenamiento de hidrógeno para impulsar la operación de los aviones cero emisiones* (Anexo_65_271O_C17_I09_MICIU_EvaluacionCT PTAP20231012_SP6).
- Project *Flexwing* (Anexo_71_271O_C17_I09_MICIU_EvaluacionCT PTAP20231022_SP6).
- Project *Electrificación de componentes propulsivos en aeronaves ("electra*") (Anexo_72_271O_C17_I09_MICIU_EvaluacionCT PTAP20231023_SP6).

The supported R&D lines included within the "technologies focused on emissions reduction: the "zero-emissions aircraft" challenge in annex 1 of the 2021, 2022 and 2023 calls contains investments related to aerospace technologies and aeronautics: new propulsion systems, technologies that drive the incorporation of systems that enable a more electric aircraft, innovative development in aerostructures, *etc* (page 32 in point iii of the evidence provided, page 38 in point vii of the evidence provided), page 40 in point x of the evidence provided).

- The *Aeronáutica* Plan supports the awards of R&D&I projects to companies in the field of aerospace.

The Commission considers that there is a clerical error in the text of the Council Implementing Decision as regards the description of target 271 and has undertaken the assessment on a revised basis. In such description it is stated that at least 65 companies have been awarded R&D&I projects in the aerospace field (...) with support from the *Aeronáutica* Plan.

However, the text of Investment 9 of Component 17 in the Spanish Recovery and Resilience Plan refers to the "Aeronautical Technological Programme" (*Programa Tecnológico Aeronáutico)* in the paragraph relevant to target 271. Spain's Recovery and Resilience Plan provides that in the aeronautical field, C17.I9 aims to support the generation of technological capabilities related to the future low and zero-emission aircraft, UAVs, multipurpose aircraft, or advanced manufacturing systems that include the creation of digital twins, through the development of R+D+I business projects. Spain's Recovery and Resilience Plan then stipulates that "thus, the Aeronautical Technological Programme proposes calls for subsidies for the development of R+D projects" in aerospace technologies. Therefore, the wording

"Aeronautical Technological Programme" is the one considered relevant for the fulfilment of target 271 given that it is the wording used in Spain's original Recovery and Resilience Plan when referring to the support of R&D&I projects. The Aeronautical Technological Programme is the subject of the 2021, 2022 and 2023 calls under target 271 (Article 1 (1) in point iii, vii, and x of the evidence provided) and therefore supports the awards of R&D&I projects to companies in the field of aerospace. Against this background, the justification and substantiating evidence provided by the Spanish authorities cover all constitutive elements of the target.

In line with the description of the measure, **the measure shall seek to improve industrial capacities related to the future low and zero emissions aircraft, critical technological developments related to UAVs, embarked systems, multipurpose aircraft, and advanced manufacturing systems that include the creation of digital twins, promoting efficiency, and lower consumption of resources or lower environmental impact**.

As explained above, Article 2 (2) provides that projects under the 2021, 2022 and 2023 calls for the Aeronautical Technological Programme must fall within one of the technological challenges identified in annex 1 of the three calls: (i) technologies focused on emissions reduction: zero-emissions aircraft; (ii) UAVs; (iii) systems to develop the technology needed for the national aviation industry to design, produce, and certify airplanes; and (iv) Intelligent and advanced digitisation manufacturing technologies. Article 2 (2) also stipulates that the objectives set out therein address one or more of the proposed technological sub-challenges identified in annex 1 of each call:

- As explained above, the "technologies focused on emissions reduction: zero-emissions aircraft" concern the development of technologies aiming at significantly or completely reduce air pollutant emissions.
- UAVs projects aim at building a strong technological foundation to make the national aviation industry a leader in unmanned, smart and connected aircrafts. The proposed R&D lines include communication technologies between different types of vehicles in a secure and cyber-secure manner and the development of detection and communication systems for the integration of autonomous systems into a shared airspace (page 32 in point iii) of the evidence provided, page 38 in point vii) of the evidence provided), page 40 in point x) of the evidence provided).
- Embarked systems and multipurpose aircraft are covered by the third technological challenge identified in annex 1, "systems to develop the technology needed for the national aviation industry to design, produce, and certify airplanes". The proposed R&D lines include technologies enabling the full development of multi-purpose or multi-mission aeroplanes and the development of on-board systems technologies (pages 32 and 33 in point iii) of the evidence provided, pages 38 and 39 in point vii) of the evidence provided), pages 40 and 41 in point x) of the evidence provided).
- Advanced manufacturing systems are covered by the fourth technological challenged identified in annex 1 of the 2022 and 2023 calls for the Aeronautical Technological Programme. The proposed R&D lines include the development of control, monitoring and simulation technologies to produce processes and digital twins, design systems to improve entry and production rate (and thus efficiency), and innovative MRO systems, including predictive analytics and real-time monitoring, which help reduce resource consumption or minimize environmental impact (page 39 in point vii of the evidence provided, page 41 in point x of the evidence provided).

Furthermore, in line with the description of the measure, **the actions under this investment shall take place with calls for proposals and public procurement.** As explained above, Article 1 (1) of the 2021, 2022 and 2023 calls for the Aeronautical Technological Programme (point iii, vii, and x of the evidence provided) stipulates that the subject of the three calls is to respectively approve the 2021, 2022 and 2023 call for grants for R&D projects in the aerospace field. Article 5 (1) of each of the three calls stipulates that the grants under these calls are given as subsidies. Articles 10 to 15 in the 2021 call for the Aeronautical Technological Programme, Articles 9 to 14 in the 2022 call, and Articles 9 to 15 in the 2023 call regulate the application procedure.

Projects shall be implemented by business consortia of 3 to 6 businesses (at least one has to be SME), maximum 3 years long.

Article 2 (1) of the 2021, 2022 and 2023 calls for the Aeronautical Technological Programme (point iii, vii and x of the evidence provided) stipulate that the calls support business R&D projects based on cooperation between companies. Additionally, Article 3 (2) of each of the three calls provides that consortia must be formed by companies.

Regarding the 2021 call for the Aeronautical Technological Programme:

Pursuant to Article 2 (3) of the 2021 call, projects must fall into one of the two possible categories: PTA Large Companies (projects starting with "PTAG", for *PTA Grandes Empresas*) or PTA SMEs (projects starting with "PTAP", for *PTA PYMES*). Article 2 (3) also provides that each project must include a SME.

In application of Article 2 (3) subparagraph (a), projects under the PTA Large Companies category must be made up of a minimum of three and a maximum of six companies, and can last two, three or four years. The duration of each of the five projects under the PTA Large Companies category submitted by Spain was effectively always of three years maximum as confirmed by the technical evaluation reports of the projects (point xii of the evidence provided). The R&D&I projects submitted by Spain are listed in the spreadsheet provided by the Spanish authorities (point ii of the evidence provided).

<u>PTA Large Companies</u>

- The *Tecnologías para operar aviones con zero emisiones* project lasted less than three years (pages 5 and 6) Anexo_15_271O_C17_I09_MICIU_EvaluacionCT PTAG20211001_SP6.
- The *Tecnologías para superficies sustentadoras avanzadas en preimpregnado industrialmente optimizadas* project lasted less than three years (page 4) Anexo_16_271O_C17_I09_MICIU_EvaluacionCT PTAG20211002_SP6.
- The *Componentes y sistemas aeronáuticos del futuro* project lasted less than three years (page 5) Anexo_17_271O_C17_I09_MICIU_EvaluacionCT PTAG20211006_SP6.
- The *Sección trasera integrada para la nueva generación de aviones eficientes* project lasted less than three years (pages 4 and 5) Anexo_19_271O_C17_I09_MICIU_EvaluacionCT PTAG20211008_SP6.
- The *Materiales y procesos avanzados de bajo coste para aviones de alta cadencia* project lasted less than three years (page 5) Anexo_20_271O_C17_I09_MICIU_EvaluacionCT PTAG20211012_SP6.

In application of Article 2 (3) subparagraph (b), projects under the PTA SMEs category must be made of a minimum of two companies and a maximum of four companies and can last two or three years. Spain submitted four projects under PTA SMEs category which were all composed of four companies, as confirmed by the technical evaluation reports of the projects (point xii of the evidence provided).

PTA SMEs

- The *Panel de sección cónica de fuselaje con cuadernas, vigas y larguerillos cocurados* project was composed of four companies (page 3) Anexo_23_271O_C17_I09_MICIU_EvaluacionCT PTAP20211001_SP6.
- The *Tecnologías avanzadas para sistemas críticos de vuelo para uas* project was composed of four companies (page 3) Anexo_24_271O_C17_I09_MICIU_EvaluacionCT PTAP20211002_SP6.
- The *Propulsión a hidrógeno innovadora avanzada e inteligente* project was composed of four companies (page 2) Anexo_25_271O_C17_I09_MICIU_EvaluacionCT PTAP20211003_SP6.
- The *Hacía una aviación más sostenible y competitiva mediante la implementación de tecnologías de protección activa y sensores basados en ultrasonidos en aeroestructuras de aluminio* project was composed of four companies (page 3) Anexo_26_271O_C17_I09_MICIU_EvaluacionCT PTAP20211004_SP6.

Regarding the 2022 call for the Aeronautical Technological Programme:

Pursuant to Article 2 (3) of the 2022 call, projects must fall into one of the three possible categories: PTA Large Companies, PTA SMEs, or PTA Major Strategic Projects (projects starting with "PTAE", for *PTA Grandes Proyectos Estratégicos*). Article 2 (3) also provides that each project must include a SME. In application of Article 2 (3) subparagraph (a) and Article (2) (3) subparagraph (c), projects under the PTA Large Companies and the PTA Major Strategic Projects categories must be made up of a minimum of three and a maximum of six companies. Article 1 (1) of the resolution amending the 2022 call for the Aeronautical Technological Programme (point viii of the evidence provided) amends provisions of Article 2 (3) related to the duration of the projects, which cannot last more than three years.

In application of Article 2 (3) subparagraph (b) of the 2022 call, projects under the PTA SMEs category must be made of a minimum of two companies and a maximum of four companies and cannot last more than three years. Spain has only submitted projects under the PTA SMEs category which were composed of four companies, as confirmed by the technical evaluation reports of the projects (point xii of the evidence provided). The R&D&I projects submitted by Spain are listed in the spreadsheet provided by the Spanish authorities (point ii of the evidence provided).

- The *Evolución del cocurado en materiales preimpregnados* project was composed of four companies (page 10, paragraph 4) Anexo_38_271O_C17_I09_MICIU_EvaluacionCT PTAP20221003_SP6.
- The *Plataforma digital e inteligente de servicios de ingeniería de producción aeronáutica* Project was composed of four companies (page 8, paragraph 1) Anexo_39_271O_C17_I09_MICIU_EvaluacionCT PTAP20221004_SP6.

- The *Aeromateriales avanzados con capacidades acústicas extremas para la industria aeronáutica civil* project was composed of four companies (page 9, paragraph 5) Anexo_40_271O_C17_I09_MICIU_EvaluacionCT PTAP20221006_SP6.
- The *Tecnologías inteligentes, adaptativas y sostenibles para la fabricación ágil y cero defectos de materiales compuestos por procesos de transferencia de resina* project was composed of four companies (page 13) Anexo_41_271O_C17_I09_MICIU_EvaluacionCT PTAP20221007_SP6.
- The *Impulsando la completa reciclabilidad de los materiales compuestos en el sector aeronáutico* project was composed of four companies (page 7) Anexo_42_271O_C17_I09_MICIU_EvaluacionCT PTAP20221009_SP6.
- The *Dron autonomo con sistema hidrógeno* project was composed of four companies (page 7, paragraph 4) Anexo_43_271O_C17_I09_MICIU_EvaluacionCT PTAP20221013_SP6.
- The *Sustitución definitiva del cromo duro hexavalente en el sector aeronáutico* project was composed of four companies (page 6, paragraph 4) Anexo_44_271O_C17_I09_MICIU_EvaluacionCT PTAP20221016_SP6.
- The *Descarbonizacion del transporte aéreo y aumento de la autonomía de uas a través de soluciones de aeroestructuras eficientes y sistemas de energia basados en hidrógeno y amoniaco verde* project was composed of four companies (page 9) Anexo_45_271O_C17_I09_MICIU_EvaluacionCT PTAP20221017_SP6.

Regarding the 2023 call for the Aeronautical Technological Programme:

Pursuant to Article 2 (3) of the 2023 call, projects must fall into one of the two possible categories: PTA Large Companies or PTA SMEs. Article 2 (3) also provides that each project must include a SME. In application of Article 2 (3) subparagraph (a), projects under the PTA Large Companies category must be made up of a minimum of three and a maximum of six companies and cannot last more than three years.

In application of Article 2 (3) subparagraph (b), projects under the PTA SMEs category must be made of a minimum of two companies and a maximum of four companies and cannot last more than three years. Spain has only submitted projects under the PTA SMEs category which were composed of three or four companies, as confirmed by the technical evaluation reports of the projects (point xii of the evidence provided). The R&D&I projects submitted by Spain are listed in the spreadsheet provided by the Spanish authorities (point ii of the evidence provided).

- The *Investigación en tecnologías avanzadas para producir contornos aerodinámicos más eficientes hacia una aviación más sostenible y silenciosa* project is composed of three companies (page 9, paragraph 1) Anexo_56_271O_C17_I09_MICIU_EvaluacionCT PTAP20231001_SP6.
- The *Motor cohete basado en reaccion alcali-agua* project is composed of three companies (page 7, paragraph 2) Anexo_57_271O_C17_I09_MICIU_EvaluacionCT PTAP20231002_SP6.
- The *Aplicación de la fabricación aditiva a la mejora de la eficiencia de taxis aéreos energizados eléctricamente* project is composed of four companies (page 11, paragraph 1) Anexo_58_271O_C17_I09_MICIU_EvaluacionCT PTAP20231003_SP6.

- The *Investigación para monitorización de activos y gestión de wip sostenibles basada en ia* project is composed of four companies (page 7, paragraph 1) Anexo_59_271O_C17_I09_MICIU_EvaluacionCT PTAP20231004_SP6.
- The *Investigación de nuevas tecnologías de conectividad para la realización de operaciones aéreas colaborativas seguras* project is composed of four companies (page 7) Anexo_60_271O_C17_I09_MICIU_EvaluacionCT PTAP20231005_SP6.
- The *Hacia un pintado inteligente y avanzado basado en la simulación y en la medición de espesores en humedo* project is composed of four companies (page 7, paragraph 7) Anexo_61_271O_C17_I09_MICIU_EvaluacionCT PTAP20231008_SP6.
- The *Investigación en movilidad aérea avanzada: vehículo aéreo eléctrico de despegue vertical propulsado por hidrógeno* project is composed of four companies (page 8, paragraph 1) Anexo_62_271O_C17_I09_MICIU_EvaluacionCT PTAP20231009_SP6.
- The *Aeroestructuras con propiedades superficiales avanzadas para el avión cero emisiones* project is composed of four companies (page 6, paragraph 9) Anexo_63_271O_C17_I09_MICIU_EvaluacionCT PTAP20231010_SP6.
- The *Tecnologías de almacenamiento de hidrógeno para impulsar la operación de los aviones cero emisiones* project is composed of four companies (page 11, paragraph 1) Anexo_65_271O_C17_I09_MICIU_EvaluacionCT PTAP20231012_SP6.
- The *Investigacion en nuevas tecnologias orientadas a conseguir una planta de produccion aeronautica eco-competitiva* project is composed of four companies (page 10, paragraph 1) Anexo_66_271O_C17_I09_MICIU_EvaluacionCT PTAP20231013_SP6.
- The *Vehículo inteligente de transporte aéreo sostenible para material médico* project is composed of three companies (page 9, paragraph 1) Anexo_67_271O_C17_I09_MICIU_EvaluacionCT PTAP20231014_SP6.
- The *Tecnologias habiliadoras para unidad logistica de transporte inteligente con dron* project is composed of three companies (page 14, paragraph 1) Anexo_68_271O_C17_I09_MICIU_EvaluacionCT PTAP20231017_SP6.
- The *Fabricación aditiva multimaterial de moldes multifuncionales para procesos de infusión fuera de autoclave* project is composed of four companies (page 16, paragraph 1) Anexo_69_271O_C17_I09_MICIU_EvaluacionCT PTAP20231018_SP6.
- The *Tecnologías para la integración de uas en el espacio aéreo* project is composed of four companies (page 11, paragraph 5) Anexo_70_271O_C17_I09_MICIU_EvaluacionCT PTAP20231019_SP6.
- The *Flexwing* project is composed of four companies (page 11, paragraph 1) Anexo_71_271O_C17_I09_MICIU_EvaluacionCT PTAP20231022_SP6.
- The *Electrificación de componentes propulsivos en aeronaves ("electra")* project is composed of four companies (page 7, paragraph 4) Anexo_72_271O_C17_I09_MICIU_EvaluacionCT PTAP20231023_SP6.

The evaluation of projects under this investment shall ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) as set out in the description of the measure.

Article 3 of the resolution amending the 2021 call for the Aeronautical Technological Programme (point iv of the evidence provided) amended Article 10 (7) of the 2021 call, so as to provide that applicants must submit a self-declaration demonstrating compliance with the DNSH principle in accordance with Annex I of the Commission's Technical guidance on the application of 'Do no significant harm' in accordance with the template provided in Annex IV of the 2021 call, also introduced by the resolution amending the 2021 call (new Article 10 (7) subparagraph b).

Article 9 (8) subparagraph (b) of the 2022 and 2023 calls for the Aeronautical Technological Programme (point vii and x of the evidence provided) also stipulates that applicants must submit a self-declaration demonstrating compliance with the DNSH principle in accordance with Annex I of the Commission's Technical guidance on the application of 'Do no significant harm' in accordance with the template provided in Annex III of both calls.

The Spanish authorities provided the DNSH self-declarations (point xiii of the evidence provided) and the assessment reports on DNSH compliance (point xiv of the evidence provided) for the 54 awarded projects.

Furthermore, in line with the description of the measure**, in order to ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the eligibility criteria contained in terms of reference for upcoming calls for projects or public procurement tender shall exclude the following list of activities: (i) activities related to fossil fuels, including downstream use; (ii) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; (iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; and (iv) activities where the long-term disposal of waste may cause harm to the environment. The terms of reference shall additionally require that only activities that comply with relevant EU and national environmental legislation may be selected.**

Regarding the 2021 call for the Aeronautical Technological Programme:

Article 1 of the resolution amending the 2021 call for the Aeronautical Technological Programme (point iv of the evidence provided) added a new paragraph (4) to Article 2 of the 2021 call, which provides that actions that directly or indirectly cause significant harm to the environment are not eligible for aid, in accordance with Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 (Taxonomy Regulation), or those aimed at increasing the efficiency of fossil fuels.

The Council Implementing Decision required that the implementation of the measure complied with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation. The 2021 call for the Aeronautical Technological Programme was published prior to the adoption of the Council Implementing Decision and does not include explicit references to the activities covered by the DNSH exclusion list, and therefore does not include the requirement that only activities that comply with relevant EU and national environmental legislation may be selected. For this call, the activities covered by the DNSH exclusion list and the requirement that only activities that comply with relevant EU and national environmental legislation may be selected were instead included in the resolution of the final awards,

confirming that compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) was ensured during the evaluation of projects. Article 3 (8) of the resolution of final awards under the 2021 call for the Aeronautical Technological Programme (PTA) of 22 December 2021 (point v of the evidence provided) establishes that measures are not eligible for aid if they cause significant harm to the environment and requires that only activities in compliance with the relevant EU and national environmental legislation can be selected. Article 3 (8) also provides that the following activities are not eligible to receive subsidies:

- 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.
- Activities where the long-term disposal of waste may cause harm to the environment.

Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision Annex that upcoming calls for projects shall include eligibility criteria to exclude certain activities in order to ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01), the relevant implementing body verified compliance with the DNSH principle during the evaluation of project awards. 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 this target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

Regarding the 2022 and 2023 calls for the Aeronautical Technological Programme:

Pursuant to Article 2 (4) of the 2022 and 2023 calls for the Aeronautical Technological Programme (point vii and x of the evidence provided), actions that directly or indirectly cause significant harm to the environment are not eligible for aid. In particular, Article 2 (4) provides that the following activities are not eligible to receive subsidies:

- 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.
- Activities where the long-term disposal of waste may cause harm to the environment.

Article 2 (5) of the 2022 and 2023 calls provides that only activities that comply with relevant national and European environmental legislation can be selected.

This is also in line with the description of the measure that **the following R&D&I actions under this investment shall be considered compliant with the 'Do no significant harm' Technical Guidance (2021/C58/01): (i) those R&D&I actions under this investment resulting in technologically neutral outcomes at the level of their application; (ii) those R&D&I actions under this investment supporting alternatives with low environmental impacts for which these exist; or (iii) those R&D&I actions under this investment that are primarily focused on developing alternatives with the lowest possible**

environmental impacts in the sector for those activities for which no technologically and economically feasible low-impact alternative exists, as the exclusion list included in the resolution of final awards under the 2021 call for the Aeronautical Technological Programme (PTA) of 22 December 2021 and in the 2022 and 2023 calls for the Aeronautical Programme is more restrictive than the R&D&I actions above.

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C18]-I[I1]-T[279], Installation of equipment devices

Related Measure: ES-C[18]-I[I1], Investment plan for high-tech equipment in the National Health System

Quantitative Indicator: Number

Baseline: 0

Target: 750

Time: Q2 2023

1. Context:

Target 279 is part of investment C18.I1 (Investment plan for high-tech equipment in the National Health System), whose objective is to renew existing medical equipment and provide Spain with additional high-tech equipment to balance inter-regional differences and progressively reach the European Union average in terms of the number per million inhabitants, with a particular focus on areas of Spanish territory which are underserved per inhabitant compared to the national average.

Target 279 requires to install at least 750 equipment devices throughout the country.

Target 279 is the second and last target of investment C18.I1 and it follows the completion of target 278, related to the approval of the equipment investment plan and distribution of funds, setting out mechanisms for the award of EUR 796 100 000 of grants.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Spreadsheet containing the following information: i) a catalogue of all the installed equipment devices and which contribute to the fulfilment of this requirement; ii) the type of equipment device; and iii) the equipment device's location.

iii. Documentary evidence for the 60 sampled units, including for each of them: i) a copy of the terms of reference (*pliegos de prescripciones técnicas)* of the contract under which the equipment device has been procured, attesting to its installation and type of equipment device; ii) a copy of the contract's characteristics chart (c*uadro de características)*, contractual document that specifies the nature of the contract and the conditions it must fulfil, and which attests to the installation of the equipment device should the terms of reference not provide this information; iii) a copy of the certificate produced in line with national public procurement regulation (*'acta de recepción')* that verifies the completion of the contract in line with the terms of reference and the contract's characteristics chart, attesting to the installation, type of equipment device, and location of the equipment device; iv) a copy of the award resolution of the public procurement process under which the equipment device was tendered; v) a copy of the explanatory report (*memoria explicativa*), internal document issued by the contracting authority that describes the

characteristics of the contract and is usually accompanied by images of the installed equipment devices.

iv. A copy of the investment plan for high-tech equipment (*Plan de Inversión en Equipos de Alta Tecnología - INVEAT*).

3. Analysis:

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

Install at least 750 equipment devices throughout the country.

In line with the description of the target, 862 equipment devices have been installed throughout the country (point ii) of the evidence above), overfulfilling the target.

This was verified on the basis of the evidence provided for a sample of 60 units of the population listed in the spreadsheet (point iii) of the evidence above), which confirmed that the equipment devices have been installed following February 2020 across Spain's 17 Autonomous Communities, thus exceeding the total goal of 750 installed equipment devices by 112 units. The Spanish authorities provided for each sampled unit a copy of the terms of reference (*pliegos de prescripciones técnicas*) of the contract under which the equipment device has been procured, attesting to its installation; a copy of the contract's characteristics chart (*cuadro de características*), contractual document that specifies the nature of the contract and the conditions it must fulfil, attesting to the installation of the equipment device should the terms of reference not provide this information; and a copy of the certificate produced in line with national public procurement regulation (*acta de recepción*) that verifies the completion of the contract in line with the terms of reference and the contract's characteristics chart, attesting to the installation and location of the equipment device. To allow for the cross-reference of the primary evidence, the Spanish authorities also provided for each sampled unit a copy of the award resolution of the public procurement process under which the equipment device was tendered, and a copy of the explanatory report (*memoria explicativa*), internal document issued by the contracting authority that describes the characteristics of the contract and is usually accompanied by images of the installed equipment devices (point iii) of the evidence above). For three sampled units, the Spanish authorities also provided the call-off contracts (*contratos basados*), which derive from public procurement process, to allow for the cross-reference of the primary evidence. For those Autonomous Communities that were not accounted for in the randomised sample, the Spanish Authorities provided additional primary evidence attesting to the installation of equipment devices in their territory.

In line with the description of the measure, the 862 installed equipment devices **include the following types of equipment: linear accelerators, computerised axial tomography (CAT), including planning accelerators; magnetic resonance, positron emission tomography and CAT (PET-CAT), gamma chamber, digital braquiotherapy equipment, vascular angiography, neuroradiological angiography and hemodynamic rooms** (point ii) of the evidence above).

The evidence provided for the sample of 60 units referred in the analysis of the first requirement (point iii) of the evidence above) also confirmed that the installed equipment devices corresponded to the types of equipment required by the description of the measure. The Spanish authorities provided for each sampled unit a copy of the certificate produced in line with national public procurement regulation (*acta de recepción*) that verifies the completion of the contract in line with the terms of reference and the

contract's characteristics charts, attesting to the type of equipment device (point iii) of the evidence above).

The Council Implementing Decision required that the installed equipment devices also included positron emission tomography (PET) devices. Whilst the types of equipment listed above have been installed, positron emission tomography (PET) equipment devices have not been installed (point ii) of the evidence above). Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the installation of these equipment devices has been replaced with the installation of positron emission tomography and CAT (PET-CAT) equipment devices, which offer additional functionalities as a result of technological advances, and which are also required to be included in the description of the measure. 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 this target represents. On this basis, it is considered that this constitutive element of the target is satisfactorily fulfilled.

Furthermore, in line with the description of the measure, **the investment shall cover the expansion of the stock of equipment to balance inter-regional differences and progressively reach the European Union average in terms of the number per million inhabitants, with a particular focus on areas of Spanish territory which are underserved per inhabitant compared to the national average.**

As positively assessed by the Commission in target 278 related to the approval of the equipment investment plan and distribution of funds, the plan for high-tech equipment (*Plan de Inversión en Equipos de Alta Tecnología - INVEAT*) was designed to reduce inter-regional differences in terms of equipment density and to increase the density of equipment per 100 000 inhabitants from 5.56 to 6.14 to progressively reach the European Union average of 6.25 per inhabitant. In this way, it was ensured that priority was given to regions with the lowest density of equipment devices and thereby regional differences would be reduced. The actual number of installations of equipment devices undertaken under target 279 in all regions was equal or higher than that envisioned in the distribution of funds for the *INVEAT* plan. This has been assessed on the basis of the delta between the agreed installations under the *INVEAT* investment plan (point iv) of the evidence above) and the catalogue of installed equipment devices (point ii) of the evidence above). This attests that the installation of equipment devices broadly followed the criteria envisioned in the *INVEAT* investment plan, including the requirement of reducing inter-regional differences and progressively reach the European Union average in terms of the number per million inhabitants.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C18]-I[I4]-T[282], Healthcare professionals trained within the framework of continuing education plans

Related Measure: ES-C[18]-I[I4], Training of health professionals and resources to share knowledge, and improving the treatment of patients with rare diseases

Quantitative Indicator: Number

Baseline: 0

Target: 90 000

Time: Q2 2023

1. Context:

Target 282 is part of investment C18.I4 (Training of health professionals and resources to share knowledge and improving the treatment of patients with rare diseases), whose objective is to strengthen the skills and competences of health professionals, with a particular focus on training linked to the reforms and investments of component of the Spanish recovery and resilience plan. This investment also aims to promote tools to enable health professionals to share knowledge in order to improve coordination and quality of health care and to improve the treatment of patients with rare diseases.

Target 282 requires that at least 90 000 healthcare professionals have completed a total of 360 000 continuing education credits (CECs), equivalent to a total of 3.6 million hours of training within the framework of continuing education plans. The trainings shall cover 19 areas further described in the measure and target descriptions, and will be provided as classroom-based training, online and blended learning formats.

Target 282 is the first step of the implementation of investment C18.I4 and it will be followed by target 463, related to the training of healthcare professionals on international models of assessing and accrediting health professional skills and the development of resources to share knowledge; and target 465, related to the completion of projects to improve healthcare for patients with rare diseases. The investment has a final expected implementation in Q2 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Spreadsheet containing the following information: i) a catalogue of all the completed training activities; ii) the trained healthcare professionals which contribute to the fulfilment of the target; iii) the IDs of each healthcare professional; iv) the type of training completed; v) the number of credits completed which contribute to the fulfilment of the target; vi) the number of hours completed which contribute to the fulfilment of the target; and vii) the training format.

iii. Copy of the internal regulation of the Commission for Continuing Education of Healthcare Professions (*Comisión de formación continuada de las profesiones sanitarias*) regulating the requirements, criteria, and procedures of the Commission.

iv. Copy of the official minutes of the Commission for Continuing Education of Healthcare Professions (*Comisión de formación continuada de las profesiones sanitarias*), of 23 February 2009, approving and endorsing the Internal Regulations.

v. Copy of the procedure manual of the Commission for Continuing Education of Healthcare Professions (*Comisión de formación continuada de las profesiones sanitarias*) providing the requirements, criteria, and procedures of the Commission.

vi. Copy of the official minutes of the Commission for Continuing Education of Healthcare Professions (*Comisión de formación continuada de las profesiones sanitarias*), of 10 January 2008, approving and endorsing the procedure manual.

vii. Documentary evidence for the 60 sampled units of the population of completed training activities, including for each of them: i) a copy of the individual certificate of completion of the training activity accredited by the Commission for Continuing Education of Healthcare Professions (*Comisión de formación continuada de las profesiones sanitarias*) of the corresponding AACC, attesting to the completed training activity, number of CECs, number of hours, and training format; ii) a copy of the accreditation resolution of the training activity produced by the Technical Secretariat of the Continuing Education of Healthcare Professions (*Secretaría Técnica de la Comisión de formación continuada de las profesiones sanitarias*) of the corresponding autonomous community; iii) supporting primary evidence (training programmes of the training activities) should the individual completion certificates not include the training format (classroom-based training, online and blended).

3. Analysis:

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

At least 90 000 healthcare professionals have completed a total of 360 000 continuing education credits (CECs), equivalent to a total of 3.6 million hours of training within the framework of continuing education plans designed in accordance with the priorities established in the definition of C18.I4. Trainings have been completed by qualified healthcare professionals and professionals in the healthcare field of professional training.

In line with the description of the target, 132 066 healthcare professionals have completed a total of 405 702 continuing education credits (CECs), equivalent to a total of 4.05 million hours of training (point ii) of the evidence above). This represents an over fulfilment of the target, as more CECs and hours than required have been completed by more than 90 000 healthcare professionals.

The training activities have been provided within the framework of continuing education plans as they have been accredited by the corresponding autonomic Commission for Continuing Education of Healthcare Professions (*Comisión de formación continuada de las profesiones sanitarias*, CFCPS) in line

with Article 35 of Law 44/2003, of 21 November, on the regulation of healthcare professionals (*Ley 44/2003, de 21 de noviembre, de ordenación de las profesiones sanitarias*), which provides for the possibility of delegating the functions of management and accreditation of continuing education from the Ministry of Health to other corporations or public law institutions, such as the CFCPS. In its Article 34, Law 44/2003 regulates, inter alia, the creation of the CFCPS to harmonise the exercise of the functions that public health administrations and other institutions and organisations hold in the field of continuing education, as well as to coordinate the actions carried out in this area. The competences of the CFCPS are further provided in Article 4 of Royal Decree 1142/2007, of 31 August, which establishes the composition and functions of the CFCPS and regulates the accreditation system for continuing education (*Real Decreto 1142/2007, de 31 de agosto, por el que se determina la composición y funciones de la Comisión de Formación Continuada de las Profesiones Sanitarias y se regula el sistema de acreditación de la formación continuada*). Moreover, the CFCPS has an Internal Regulation (point iii) of the evidence above) approved and endorsed in the official minutes of the CFCPS, of 23 February 2009 (point iv) of the evidence above), which establishes the organisation, operation, and competencies of the CFCPS. Constitutional Court Ruling 1/2011, of February 14, (B.O.E. March 15, 2011; URL: https://www.boe.es/buscar/doc.php?id=BOE-A-2011-4802) further develops the delegation of the functions of management and accreditation of continuing education from the Ministry of Health to the autonomic CFCPS, by establishing that the executive competences in the accreditation of continuing education fall within the scope of the autonomous community, whilst the State retains the authority to establish regulatory guidelines for general coordination in this matter.

In this regard, as provisioned in its procedure manual (point v) of the evidence above) approved and endorsed in the official minutes of the CFCPS, of 10 January 2008 (point vi) of the evidence above), which establishes the requirements and procedures for the accreditation of continuing healthcare education, the CFCPS of each autonomous community has accredited the training activities undertaken. As established in the manual, the provider of the training activity is "the entity or natural person that requests accreditation for the activity, develops the training activity, issues the accreditation certificates and is responsible, for all purposes, for said activity" (p. 17). In line with the established procedure, the provider makes an application for the accreditation of a training activity, which shall follow the Certification Standards for accredited activities as laid out in the manual (p. 42). Once the application for accreditation has been made and after its evaluation, a resolution is issued through the Technical Secretariat of each autonomous community endorsed by the CFCPS, which determines whether the activity is finally accredited and, therefore, it is possible to issue the certificates to students who have successfully completed the training course by the entity providing said training within the framework of continuing education.

Finally, regarding the completion of the trainings by qualified healthcare professionals and professionals in the healthcare field of professional training, Article 33 of Law 44/2003, of November 21, on the regulation of healthcare professions (*Ley 44/2003, de 21 de noviembre, de ordenación de las profesiones sanitarias*) establishes that continuous education "is an active learning process that commences once specialisation studies are finalised, and which is destined to improve the knowledge of healthcare professionals". Moreover, the procedure manual of the CFPS referred above (point v) of the evidence above) establishes that continuous education activities are exclusively directed to healthcare professionals, as is attested in points 1 and 2 of the official minutes of the CFCPS, of 10 January 2008 (point vi) of the evidence above), and establishes that shall other professionals participate, these will not receive

certificates of completion with continuous education credits. The individuals completing the trainings under this framework would have received a corresponding certificate for their completion only if they were qualified healthcare professionals. Finally, one of the trainings within the framework of continuing education plans was targeted to mentors in specialised health training and therefore targeted professionals in the healthcare field of professional training.

These requirements were verified on the basis of the evidence provided for a sample of 60 units of the population listed in the spreadsheet (point vii) of the evidence above), which confirmed that the listed trainings, CECs and corresponding hours within the framework of continuing education plans were completed by the reported professionals from licensed healthcare professions and professionals in the healthcare field of professional training. The Spanish authorities provided for each sampled unit an individual certificate of completion for the training activity, accredited by the CFCPS of the corresponding autonomous community and attesting to the activity, CECs and equivalent number of hours completed; and the accreditation resolutions of the training activities produced by the Technical Secretariat of the CFCPS of each autonomous community in accordance with the abovementioned regulations. For 6 out of the 60 sample units the training activities had not been certified by the CFCPS of the corresponding autonomous community thus it could not be confirmed that the activities, CECs and hours had been completed withing the framework of continuing education plans and that they had been completed by a qualified healthcare professional. A conservative approach was adopted and the units were considered as a fail. For 1 out of 60 units of the sample the number of completed CECs listed in the spreadsheet (point ii) of the evidence above) could not be verified on the basis of the evidence provided. While the training activity complied with all other requirements of the measure, a conservative approach was adopted and the unit was considered as a fail. On this basis, a statistical analysis was carried out taking into account the overachievement of the target of 132 066 healthcare professionals having completed the training activities for a required 90 000 healthcare professionals. Based on this, there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled.

The completed training activities have been designed in accordance with the priorities established in the definition of C18.I4, as per the following requirement.

The trainings shall cover: The use of health technologies and information systems, public health surveillance and epidemiology, patient and professional safety, rational use of diagnostic and therapeutic resources, early detection of cancer, mental health, environmental health, prevention of risk factors, early detection of gender-based violence, early detection of child abuse, bioethics, end-of-life care, clinical communication, evidence-based medicine, working with others, methods of investigation, development of the management competences of health institution managers, training of mentors in specialised health training and training for evaluators of continuous education.

In line with the priorities established and required in the definition of C18.I4 and the description of the target, the completed training activities covered the areas above. The evidence provided for the sample of 60 units referred in the analysis of the first requirement (point vii) of the evidence above) also confirmed that the training activities had been completed in the areas referenced above. The Spanish authorities provided for each sampled unit an individual certificate of completion of the training activity accredited by the CFCPS of the corresponding autonomous community attesting to the area of training as required in the CID. For those areas that were not accounted for in the randomised sample, the Spanish Authorities

provided additional certificates of completion of the training activity accredited by the CFCPS of the corresponding autonomous community attesting to the area of training.

Trainings have been provided as classroom-based training, online and blended learning formats.

In line with the description of the target the trainings have been provided as classroom-based training, online and blended learning formats. The evidence provided for the sample of 60 units referred in the analysis of the first requirement (point vii) of the evidence above) also confirmed that the completed training activities had been provided in the learning formats as required by the CID. The Spanish authorities provided for each sampled unit either an individual certificate of completion of the training activity accredited by the CFCPS of the corresponding autonomous community attesting to the type of learning formats, or for cases where the individual completion certificates did not include the type of training, supporting evidence in the form of the training programmes referencing this information.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C20]-I[I2]-T[299], Centres for excellence and innovation in vocational trainings

Related Measure: ES-C[20]-I[I2], Digital transformation of vocational training

Quantitative Indicator:

Baseline: 0

Target: 50

Time: Q2 2023

1. **Context:**

Target 299 is included in Component 20, Investment 2: Digital Transformation of Vocational Training. This initiative aims to modernise and transform vocational training, focusing on the digitalisation of processes and promoting environmental sustainability within productive sectors. Key actions include training vocational teachers to drive digital and ecological transitions, conversion of classrooms into applied technology spaces that recreate working environments, creation of entrepreneurship classrooms in public vocational training centres to approach technologies that will be used later companies and developing a network of at least 50 centres of excellence for research and innovation.

Target 299 consist of the integration of at least 50 centres of excellence into a newly created National Network of Centres of Excellence for Vocational Training.

Target 299 is the first target of C20.I2 and it will be followed by the completion of target 467, related to the conversion of classrooms into applied technology spaces and target 467a, related to the creation and support of “entrepreneurship” classrooms. It is accompanied by target 467b) in this payment.

2. **Evidence Provided:**

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Copy and link to the publication of the Ministerial Order EFP/717/2022 of 22 July of 2022 of the Ministry of Education and Vocational Training, published in the national Official Journal on 28 July 2022 (BOE-A-2022-12621 of 28 July 2022) approving the creation of centres for excellence and innovation in vocational training (hereinafter referred to as The Ministerial Order"). https://www.boe.es/eli/es/o/2022/07/22/efp717

iii. Copy and link to the resolution of the grant award for the call for subsidies of 2022 aimed at the creation of a Network of Centres of Excellence for Vocational Training for 45 centres resolucion-de-concesion-con-comunidades-excelencia.pdf

iv. Copy and link to the Resolution BOE-B-2023-25486 of the Secretary-General for Vocational Training dated 2 August 2023, announcing aid for the implementation and development of the National Network of Centres of Excellence in Vocational Training in 2023, within the framework of the Recovery, Transformation and Resilience Plan Anuncio 25486 del BOE núm. 213 de 2023

v. Copy and link to the resolution of the grant award for the call for subsidies of 2023 aimed at the creation of a Network of Centres of Excellence for Vocational Training for 21 centres https://www.educacionfpydeportes.gob.es/dam/jcr:33fe1265-e933-4009-9d47-bc30671eae9d/resolucion-concesion.pdf

vi. Link to all the centres of excellence and information on the programmes offered: https://www.todofp.es/sobre-fp/informacion-general/centros-excelencia-fp.html#cla-00-0

3. **Analysis:**

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

At least 50 centres integrated into the newly created National Network of Vocational Training Centres of Excellence.

The Ministerial Order EFP/717/2022 of 22 July of 2022 of the Ministry of Education and Vocational Training (see item ii in the section "evidence provided"), published in the national Official Journal on 28 July 2022 (BOE-A-2022-12621 of 28 July 2022), (i) creates a network of centres of excellence for vocational training, (ii) sets out the regulatory framework for the allocation of funding to support their implementation and development, and, finally, (iii) launches the call for public grants in 2022.

Article 23(8) of the Ministerial Order establishes that the award of funding formalises the integration of a centre into the national network from the date of the resolution.

According to article 3(6) and article 23 obtaining funding by a beneficiary implies the formal inclusion of said beneficiary, effective from the date of concession, as a member of the National Network of Centers of Excellence in Vocational Training.

The call for public grants in 2022 was launched by Ministerial Order EFP/717/2022 (item ii in the section "evidence provided"). The 2022 Resolution (item iii in the section "evidence provided") has awarded

funding under the 2022 call to 45 centres distributed across the different autonomous communities. The 2022 Resolution grants the corresponding subsidies for a total amount of €42,622,567.80, for the launch of qualification and incorporation plans as member centres of the National Network of Centres of Excellence in Vocational Training for the year 2022, making public the list of awarded subsidies, along with their corresponding amounts.

The call for public grants in 2023 was launched by Resolution BOE-B-2023-25486 of the Secretary-General for Vocational Training (item iv in the section "evidence provided"). The 2023 Resolution (item v in the section "evidence provided") grants the corresponding subsidies for a total amount of €20,024,007 to 21 centres, for the launch of qualification and incorporation plans as member centres of the National Network of Centres of Excellence in Vocational Training for the year 2023, making public the list of awarded subsidies, along with their corresponding amounts.

Therefore, a total of 66 centres distributed across different regions have been added to the National Network of Centres of Excellence for Vocational Training.

Furthermore, in line with the description of the measure, **the centres for excellence focusing on research and innovation, shall play an important role in modernising the business fabric, supporting the transformation of the economy and improving competitiveness.**

Article 3 of the Ministerial Order defines the characteristics and functions of the centres integrated into the national network of centres of excellence in vocational training, thereby aligning these with the broader objectives of modernising the business fabric, supporting economic transformation, and enhancing the competitiveness of the centres themselves and their surrounding ecosystems.

In particula, according to article 3(1) of the Ministerial Order, the centres in the national network of vocational training centres of excellence are those offering vocational training aligned with the National Catalogue of Professional Qualifications in predefined sectors and subsectors. These centres act as catalysts for innovative ecosystems, fostering environments of innovation, research, and entrepreneurship. They undergo digital and methodological transformation, provide teacher training at the national level, develop innovation and applied research projects, assist in identifying sector-specific skills needs, and contribute to the revision of vocational training curricula.

According to article 3(2) of the Ministerial Order, these centres work closely with various sectoral stakeholders, including businesses, employer associations, unions, academic institutions, and third-sector entities, to disseminate innovation across the territory and promote internationalisation.

As a result of the functions set out in Article 3 (1) and (2), the centres for excellence in vocational training, with their focus on research and innovation, play an important role in modernising the business fabric, supporting the transformation of the economy and improving competitiveness.

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

Number and name of the Milestone: ES-C[C20]-I[I2]-T[467b], Completion of green trainings for VET teachers

Related Measure: ES-C[20]-I[I2], Digital transformation of vocational training

Quantitative Indicator:

Baseline: 0

Target: 25 281

Time: Q2 2023

2. **Context:**

The objective of this investment is to transform and modernise vocational training to support the digitalisation of each production sector, while also giving priority to environmental sustainability as a key competence.

Target 467b concerns the issuance of at least 25,281 training certificates concerning the completion of 30 hours of digital and green training. The completion of digital and green training of vocational training teachers is expected to enable them to act as a key pillar in the training process and as levers for the digital and ecological transition applied to the respective productive sectors for vocational training. The focus is to ensure the technical, professional and pedagogical skills of teachers to underpin the quality of the education and training system.

Target 467b is the first step of implementation of investment C20.I2 (Digital transformation of vocational training). This target is accompanied by target 299, related to 50 centres integrated into the newly created National Network of Centres of Excellence for Vocational Training in this payment. This target is followed by target 467 (related to the conversion of classrooms into applied technology spaces) and target 467a (related to the creation and support of "entrepreneurship" classrooms). The investment has a final expected date for implementation on 31 December 2025.

3. **Evidence Provided:**

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii. An annex spreadsheet at national level with the following information for the training certificates issued concerning the completion of digital and green training: the official document issued by the national competent authority that accredits the completion of the training; the aggregate number of hours of the modules; the type of training provided (digital or green (Anexo 1_467bO_C20_I02_MEFPD_Spreadsheet_SP5).
iii. Copy of Resolution of 16 December 2020, of the General Secretariat for Vocational Training, publishing the Agreement of the Council of Ministers of 15 December 2020, by which the funding allocated to the Autonomous Communities is distributed to finance the Vocational Training Plan for economic and social growth and employability (anexo-4-467bo-c20-i02-mefpd-acm-201215-pctextra2020-sp5).

iv. Copy of Resolution of 7 October 2021, of the General Secretariat for Vocational Training, publishing the Agreement of the Education Sectoral Conference of 21 July 2021, by which the proposal for the territorial distribution and the allocation criteria of the funds managed by the Autonomous Communities is approved, within the framework of Component 20, 'Strategic Plan to Boost Vocational Training', of the Recovery, Transformation and Resilience Plan, for the 2021 budget year (anexo-23-467bo-c20-i02-mefpd-acs-210721-pct-pmfp2021-sp5).

v. a copy of the document certifying the completion of the training in line with national legislation and internal procedures, indicating the number of hours, scope of the trainings and an extract of the official document describing the characteristics of the training which prove the alignment with the description of the target and investment in the CID annex.

4. **Analysis:**

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

Issuance of at least 25 281 training certificates concerning the completion of 30 hours of digital and green training for vocational education teachers. The same teacher may complete more than one training.

Spain has reported that a total of 36 033 training certificates have been issued to vocational education teachers participants in 30 hours of digital and green training (see item i referred to in the section "evidence provided). This represents a significant overachievement of the target, as the number of training certificates issues exceeds the minimum threshold of 25 281.

The partnership agreements included in the Resolutions of 16 December 2020 and 7 October 2021 of the General Secretariat for Vocational Training (see item ii and iii referred to in the section "evidence provided), through which part of the funding allocated to the Autonomous Communities is distributed to finance training activities relevant for the completion of this target, specify that the training to be delivered is specifically intended for vocational education teachers.

Furthermore, in line with the description of the investment, **the completion of digital and green training of vocational training teachers shall enable them to act as a key pillar in the training process and as levers for the digital and ecological transition applied to the respective productive sectors for vocational training. The focus is to ensure the technical, professional and pedagogical skills of teachers to underpin the quality of the education and training system**

The spreadsheet submitted by Spain includes the name of the training completed by the vocational training teachers. This information, which was used in the sampling exercise to assess the scope of the training, is identified in the spreadsheet in the column " Name of the training activity" (*Denominación de la acción formativa).*

Following the selection of a random sample of 60 units, for each unit included in the sampling exercise, Spain provided training certificates concerning the completion of 30 hours of digital and green training. These certificates are in line with national legislation, as they have been introduced in the Register of Permanent Professional Development for Teachers (*Registro de Formación Permanente del Profesorado),*

a key tool for monitoring and accrediting the continuous professional development of teachers. The training recorded in it is officially recognized by the education system and is valid for purposes of evaluation and promotion.

The evidence provided for a sample of 58 units confirmed that the requirements of the target have been met. The certificates identify the vocational training teachers completing the training by the NIF/NIE, the duration of the training completed, and include the name of the training activity, and the identification code that has been assigned to it in the Register of Permanent Professional Development for Teachers.

For each unit included in the sampling exercise, it was verified whether the scope of the training provided vocational training teachers with digital and green competences, enabling them to act as a key pillar in the training process and as levers for the digital and ecological transition applied to the respective productive sectors for vocational training. In the area of green skills, it was assessed as valid a training where teachers received specialised training in key aspects of the green transition, such as energy management, renewable energy technologies, circular economy and waste management. In the field of digital skills, it was assessed as valid a training were teachers received specialised training on how to integrate digital technologies into classes and trainings providing teachers with skills in programming, robotics, and artificial intelligence, to enable them to educate students on emerging technologies that are transforming industries such as manufacturing, energy and transport. Overall, these trainings provided vocational training teachers with digital and green competences, enabling them to act as a key pillar in the training process and as levers for the digital and ecological transition applied to the respective productive sectors for vocational training.

Two of the units selected in the sampling failed as the scope of the training provided was assessed as not providing neither digital not green skills.

A statistical analysis was carried out taking into account the overachievement of the target of 36 033 for a required 25 281. Based on this, there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled.

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

Number and name of the Milestone: ES-C[C21]-R[R3]-M[307], Entry into force of the Organic Law on the university system and other legislation and documents

Related Measure: ES-C[21]-R[R3], Comprehensive reform of the university system

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

Time: Q2 2023

1. Context:

The measure concerns a comprehensive reform of the university system, which shall consider the recommendations made by the Conference of Spanish University Rectors (CRUE).

Milestone 307 is part of reform C21.R3 and consists of the entry into force of a new Organic Law and other legislation and documents on the university system with the objectives of promoting access to higher education, adapting the organisation of university courses, providing for ensuring good governance of university institutions, and promoting research, transfer and mobility of teaching and research staff. The reform shall also contribute to enhancing the labour market relevance of higher education.

Milestone 307 is the second milestone of the reform and follows the completion of milestone 306 consisting of the entry into force of two Royal Decrees establishing the organisation of university courses and ensuring the quality of university institutions.

2. Evidence provided:

i. Summary document duly justifying how the milestone was satisfactorily fulfilled.

ii. Copy and link to the publication in the Official Journal of the Organic Law 2/2023 of 22 March 2023, of the University System (*Ley Orgánica 2/2023, de 22 de marzo, del Sistema Universitario*) (BOE-A-2023-7500, of 23 March 2023).

iii. Link to the publication in the Official Journal of the Royal Decree 688/2020 of 21 July 2020, establishing the household income and wealth thresholds and the amounts of scholarships and study grants for the 2020-2021 academic year and partially amending Royal Decree 1721/2007, of 21 December, establishing the system of personalised scholarships and study grants (*Real Decreto 688/2020, de 21 de julio, por el que se establecen los umbrales de renta y patrimonio familiar y las cuantías de las becas y ayudas al estudio para el curso 2020-2021 y se modifica parcialmente el Real Decreto 1721/2007, de 21 de diciembre, por el que se establece el régimen de las becas y ayudas al estudio personalizadas*) (BOE-A-2020-8297, 22 July 2020).

iv. Copy and link to the publication in the Official Journal of the Royal Decree 471/2021 of 29 June 2021, establishing the household income and wealth thresholds and the amounts of scholarships and study grants for the 2021-2022 academic year, and partially amending Royal Decree 1721/2007, of 21 December, establishing the system of personalised scholarships and study grants (*Real Decreto 471/2021, de 29 de junio, por el que se establecen los umbrales de renta y patrimonio familiar y las cuantías de las becas y ayudas al estudio para el curso 2021-2022, y se modifica parcialmente el Real Decreto 1721/2007, de 21 de diciembre, por el que se establece el régimen de las becas y ayudas al estudio personalizadas*) (BOE-A-2021-10823, of 30 June 2021).

v. Copy and link to the publication in the Official Journal of the Royal Decree 154/2022 of 22 February 2022, establishing the household income and wealth thresholds and the amounts of scholarships and study grants for the 2022-2023 academic year, and partially amending Royal Decree 1721/2007, of 21 December, establishing the system of personalised scholarships and study grants (*Real Decreto 154/2022, de 22 de febrero, por el que se establecen los umbrales de renta y patrimonio familiar y las cuantías de las becas y ayudas al estudio para el curso 2022-2023, y se modifica parcialmente el Real Decreto 1721/2007, de 21 de diciembre, por el que se establece el régimen de las becas y ayudas al estudio personalizadas*) (BOE-A-2022-2852, of 23 February 2022).

vi. Link to the publication in the Official Journal of the Royal Decree 117/2023 of 21 February 2021, establishing the household income and wealth thresholds and the amounts of scholarships and study grants for the 2023-2024 academic year, and partially amending Royal Decree 1721/2007, of 21 December, establishing the system of personalised scholarships and study grants (*Real Decreto 117/2023, de 21 de febrero, por el que se establecen los umbrales de renta y patrimonio familiar y las cuantías de las becas y ayudas al estudio para el curso 2023-2024, y se modifica parcialmente el Real Decreto 1721/2007, de 21 de diciembre, por el que se establece el régimen de las becas y ayudas al estudio personalizadas*) (BOE-A-2023-4652, of 22 February 2023).

vii. Copy and link to the publication in the Official Journal of the Royal Decree 201/2024 of 27 February 2024, establishing the household income and wealth thresholds and the amounts of scholarships and study grants for the 2024-2025 academic year (*Real Decreto 201/2024, de 27 de febrero, por el que se establecen los umbrales de renta y patrimonio familiar y las cuantías de las becas y ayudas al estudio para el curso 2024-2025*) (BOE-A-2024-3787, of 28 February 2024).

viii. Link to the publication in the Official Journal of the Resolution of 29 May 2020, of the General Secretariat for Universities, which publishes the Agreement of 27 May 2020, of the General Conference on University Policy, which sets the maximum limits of public prices for studies leading to the award of official university degrees for the 2020-2021 academic year (*Resolución de 29 de mayo de 2020, de la Secretaría General de Universidades, por la que se publica el Acuerdo de 27 de mayo de 2020, de la Conferencia General de Política Universitaria por el que se fijan los límites máximos de los precios públicos por estudios conducentes a la obtención de los títulos universitarios oficiales para el curso 2020-2021)* (BOE-A-2020-5605, of 3 June 2020).

ix. Copy and link to the publication in the Official Journal of the Resolution of 26 April 2021, of the General Secretariat for Universities, which publishes the Agreement of the General Conference on University Policy of 19 April 2021, which extends the same conditions agreed for the 2020-2021 academic year for the maximum prices of studies leading to the award of the official Bachelor's degree, in second and successive enrolments, of studies leading to the award of the official qualification of non-qualifying and linked Master's degrees and of studies leading to the award of official Bachelor's and Master's degrees, in first and successive enrolments, for students who are nationals of countries outside the European Union, for the 2021-2022 academic year (*Resolución de 26 de abril de 2021, de la Secretaría General de Universidades, por la que se publica el Acuerdo de la Conferencia General de Política Universitaria de 19 de abril de 2021, por el que se prorrogan las mismas condiciones acordadas para el curso 2020-2021 para los precios máximos de los estudios conducentes a la obtención del título oficial de Grado, en segundas y sucesivas matrículas,*

de los estudios conducentes a la obtención del título oficial de Másteres no habilitantes y vinculados y de los estudios conducentes a la obtención de los títulos oficiales de Grado y de Máster, en primeras y sucesivas matrículas, para los y las estudiantes nacionales de países no pertenecientes a la Unión Europea, para el curso 2021-2022) (BOE-A-2021-7137, of 1 May 2021).

x. Link to the publication in the Official Journal of the Resolution of 26 May 2022, of the General Secretariat for Universities, which publishes the Agreement of 4 May 2022, of the General Conference on University Policy, which maintains for the academic year 2022-2023 the same conditions agreed for the academic years 2020-2021 and 2021-2022 in relation to the maximum limits of public prices of studies leading to the award of official university degrees (*Resolución de 26 de mayo de 2022, de la Secretaría General de Universidades, por la que se publica el Acuerdo de 4 de mayo de 2022, de la Conferencia General de Política Universitaria, por el que se mantienen para el curso académico 2022-2023 las mismas condiciones acordadas para los cursos académicos 2020-2021 y 2021-2022 en relación con los límites máximos de los precios públicos de los estudios conducentes a la obtención de títulos universitarios oficiales)* (BOE-A-2022-9102, of 3 June 2022).

xi. Copy and link to the publication in the Official Journal of the Royal Decree 678/2023 of 18 July 2023, regulating state accreditation for access to university teaching bodies and the system of competitions for access to positions in these bodies (*Real Decreto 678/2023, de 18 de julio, por el que se regula la acreditación estatal para el acceso a los cuerpos docentes universitarios y el régimen de los concursos de acceso a plazas de dichos cuerpos*) (BOE-A-2023-19027, of 6 September 2023).

xii. Copy of the Comments on the latest draft of the Draft Organic Law on the University System *(Observaciones al último borrador de Anteproyecto de Ley Orgánica del Sistema Universitario (APLOSU)* by the Conference of Spanish University Rectors (CRUE) from 16 November 2021.

xiii. Link to the official data base of the number of recipients of scholarships and the amounts granted in the academic years 2022-2023 and 2017-2018 (https://estadisticas.universidades.gob.es/jaxiPx/Tabla.htm?path=/Universitaria/Becas/2024/Convocatorias//l0/&file=Beneficiarios_Importe_Tot.px&type=pcaxis&L=0).

xiv. Link to the official data base of average public prices in euros per credit by Autonomous Community in the academic years 2019-2020 and 2020-2021 (https://public.tableau.com/views/Estadsticadepreciospblicosuniversitarios2024-2025/Dashboard_precios?%3AshowVizHome=no&%3Aembed=true%231).

3. Analysis:

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

Entry into force of the Organic Law and other legislation and documents

- On the entry into force of the Organic Law:
    - The Organic Law 2/2023 (point ii of the evidence provided) entered into force on 12 April 2023, twenty days after its publication in the Official Journal (BOE-A-2023-7500, of 23 March 2023), according to its twelfth final provision.

- On the entry into force of other legislation and documents:
    - Royal Decree 688/2020 of 21 July 2020, establishing the household income and wealth thresholds and the amounts of scholarships and study grants for the 2020-2021 academic year and partially amending Royal Decree 1721/2007, of 21 December, establishing the system of personalised scholarships and study grants (point iii of the evidence provided) entered into force on 23 July 2020, one day after its publication in the Official Journal (BOE-A-2020-8297, 22 July 2020) according to its fifth final provision.
    - Royal Decree 471/2021 of 29 June 2021, establishing the household income and wealth thresholds and the amounts of scholarships and study grants for the 2021-2022 academic year, and partially amending Royal Decree 1721/2007, of 21 December, establishing the system of personalised scholarships and study grants (point iv of the evidence provided) entered into force on 1 July 2021, one day after its publication in the Official Journal (BOE-A-2021-10823, of 30 June 2021) according to its fifth final provision.
    - Royal Decree 154/2022 of 22 February 2022, establishing the household income and wealth thresholds and the amounts of scholarships and study grants for the 2022-2023 academic year, and partially amending Royal Decree 1721/2007, of 21 December, establishing the system of personalised scholarships and study grants (point v of the evidence provided) entered into force on 24 February 2022, one day after its publication in the Official Journal (BOE-A-2022-2852, of 23 February 2022) according to its fourth final provision.
    - Royal Decree 117/2023 of 21 February 2023, establishing the household income and wealth thresholds and the amounts of scholarships and study grants for the 2023-2024 academic year, and partially amending Royal Decree 1721/2007, of 21 December, establishing the system of personalised scholarships and study grants (point vi of the evidence provided) entered into force on 23 February 2023, one day after its publication in the Official Journal (BOE-A-2023-4652, of 22 February 2023) according to its fourth final provision.
    - Royal Decree 201/2024 of 27 February 2024, establishing the household income and wealth thresholds and the amounts of scholarships and study grants for the 2024-2025 academic year (point vii of the evidence provided) entered into force on 29 February 2024, one day after its publication in the Official Journal (BOE-A-2024-3787, of 28 February 2024) according to its third final provision.
    - Resolution of 29 May 2020, of the General Secretariat for Universities, which publishes the Agreement of 27 May 2020, of the General Conference on University Policy, which sets the maximum limits of public prices for studies leading to the award of official university degrees for the 2020-2021 academic year (point viii of the evidence provided) became applicable following its approval by the General Conference on University Policy, in line with the national legal framework.
    - Resolution of 26 April 2021, of the General Secretariat for Universities, which publishes the Agreement of the General Conference on University Policy of 19 April 2021, which extends the same conditions agreed for the 2020-2021 academic year for the maximum prices of studies leading to the award of the official Bachelor's degree, in second and successive enrolments, of studies leading to the award of the official qualification of non-qualifying and linked Master's degrees and of studies leading to the award of official

Bachelor's and Master's degrees, in first and successive enrolments, for students who are nationals of countries outside the European Union, for the 2021-2022 academic year (point ix of the evidence provided) became applicable following its approval by the General Conference on University Policy, in line with the national legal framework.

- Resolution of 26 May 2022, of the General Secretariat for Universities, which publishes the Agreement of 4 May 2022, of the General Conference on University Policy, which maintains for the academic year 2022-2023 the same conditions agreed for the academic years 2020-2021 and 2021-2022 in relation to the maximum limits of public prices of studies leading to the award of official university degrees (point x of the evidence provided) became applicable following its approval by the General Conference on University Policy, in line with the national legal framework.
- Royal Decree 678/2023 of 18 July 2023, regulating state accreditation for access to university teaching bodies and the system of competitions for access to positions in these bodies (point xi of the evidence provided) entered into force on 7 September 2023, one day after its publication in the Official Journal (BOE-A-2023-19027, of 6 September 2023) according to its fourth final provision.

Aiming at promoting access to higher education.

Article 31 of the Organic Law 2/2023 establishes the right for access to higher education with equality of opportunities and no discrimination in the terms described in its Article 37. Article 37, in turn, lays down the universities' duty to prevent discrimination against students and to encourage the inclusivity and accessibility of curricular structures. These provisions lay down the general framework to promote access to higher education in the context of which secondary legislation aimed at the improvement of scholarships for students with disabilities and the reduction of public university fees has entered into force. These provisions are described in detail below.

In line with the description of the measure, **scholarships shall be increased taking into account socioeconomic conditions and equal opportunities shall be ensured by improving scholarships for students with disabilities**. The household income and wealth thresholds, as well as the scholarship amounts have been updated and increased as reflected in the corresponding royal decrees provided by Spain for the last academic years since 2020, specifically Royal Decree 688/2020, Royal Decree 471/2021, Royal Decree 154/2022, Royal Decree 117/2023 and Royal Decree 201/2024 (points iii, iv, v, vi, and vii of the evidence provided). Articles 3 to 6 of the Royal Decree 201/2024 establish the amounts of scholarships for the different studies and students' marks, Article 7 those for students with a 25% or higher degree of disability, and Articles 8 to 11 the income and wealth thresholds. The official data base of the number of recipients of scholarships and the amounts granted in the academic years 2022-2023 and 2017-2018 (point xiii of the evidence provided) shows that the average scholarship increased between the 2017/2018 and 2022/2023 academic years. More specifically, the data provides for scholarships from the General State administration amounting to EUR 831.99 million granted to 321,521 beneficiaries in the academic year 2017-2018, and EUR 1.14 billion granted to 305,570 beneficiaries in the academic year 2022-2023. This results in an average scholarship of EUR 2,585.49 in the academic year 2017-2018 and 3,724.91 in the academic year 2022-2023.

In line with the description of the measure the **scholarship system was reformed in 2020, but shall be further developed in 2021 and 2022.**

Royal Decree 471/2021 and Royal Decree 154/2022 that annually establish scholarship amounts and income thresholds include additional reforms of the scholarship system. The first final provision of Royal Decree 471/2021 reduces the grade required for obtaining aid in qualifying Master's degrees. This reduction is extended to non-qualifying Master's degrees in the first final provision of Royal Decree 154/2022.

In line with the description of the measure, **reform shall improve effectiveness, efficiency and university autonomy in the day-to-day management of universities.**

Article 3 of the Organic Law 2/2023 defines the areas where the autonomy of universities is materialised, including the elaboration of their statutes, the management of financial and staff resources, the education and training offer, and the curricula of university studies among others. Within this framework, university institutions shall be accountable, transparent and provide quality public services. Article 5 of the Organic Law 2/2023 specifies that the university system must ensure its good governance and quality by way of quality assurance systems.

The effectiveness and efficiency of the university system are further provided for by Article 14 to 17 of Organic Law 2/2023 that set out the cooperation between universities, public administrations, companies and civil society actors and regulate the activities of several coordinating bodies to that effect, namely the General Conference on University Policy, the Council of Universities, and the Council of State University Studies. These activities comprise, among other things, the drafting of proposals that ensure the transparency, evaluation, de-bureaucratisation and effectiveness of the main educational, research and financing and management processes of human and economic resources, which are developed in universities, by the General Conference on University Policy, and the collaboration and coordination among universities with the Council of Universities. These provisions delineate the activities of different governance and coordination bodies and thereby contribute to the effectiveness of the governance of the university system.

In line with the description of the measure, **public university fees shall also be reduced, including by establishing thresholds and reducing large regional disparities**.

The Resolution of 29 May 2020 of the General Secretariat for Universities is setting a threshold for the price of bachelor's degrees credits at EUR 18.46 per credit for the 2020-2021 academic year. The resolutions of 26 April 2021 and 26 May 2022 of the General Secretariat for Universities are extending this threshold to the academic years 2021-2022, and 2022-2023. The official data base of average public prices in euros per credit by Autonomous Community in the academic years 2019-2020 and 2020-2021 (point xiv of the evidence provided) shows that the national average of the price per credit fell from EUR 19.11 in the academic year 2019-2020 to EUR 17.40 in the academic year 2020-2021. This threshold is also reducing large regional disparities: as per the official data prices in most of those regions with prices previously above the newly introduced threshold, namely Navarra, Aragón, and Catalunya, fell from EUR 20.60, EUR 18.94, and EUR 32.81 respectively in the academic year 2019-2020 to EUR 20.11, EUR 18.20 and EUR 23.03 respectively in the academic year 2020-2021. More generally, the standard deviation related to public university prices in the 17 autonomous communities, i.e. the average variation of regional university prices

from the national average, fell from 5.1 in the academic year 2019-2020 to 3.44 in the academic year 2020-2021.

Aiming at providing for good governance of university institutions.

Articles 44 to 52 of the Organic Law 2/2023 provide for the general rules for the governance of university institutions and define the functions and composition of the different bodies: University Senate, Governing Council, Social Council and Students Council. Article 45 sets the minimum representation at the University Senate at 25% for students and 51% for teaching staff compared with a previous required majority for doctorate teaching staff. Article 47 establishes that the composition of the Social Council shall adequately reflect social diversity of the territory where the university is located. Article 47 also requires that the composition of the Social Council shall be further regulated by law of the autonomous community which guarantees the presence of people proposed by representative sectors of economic, social, and cultural life. As explained by the cover note, the reflection of the social diversity of the territory the university is located is a novelty is a novelty compared to the previous legislative framework. Article 48 creates the new council of students at the level of the university with the aim of enhancing their coordination to defend their interests.

This is also in line with the description of the measure which states that **the reform shall increase participation of stakeholder in the governance**.

In line with the description of the measure, **the reform shall foster transparency and accountability**.

Article 39 of the Organic Law 2/2023 provides that universities shall establish mechanisms for transparency and accountability on their financing and staff management, teaching quality and student performance, and research and knowledge transfer activities among others. Article 59 further applies the principles of transparency and accountability to the financial management of universities and prescribes the creation of internal control and audit regimes as well as the rendering of accounts before external control bodies of the autonomous communities.

Aiming at promoting research, transfer and mobility of teaching and research staff.

Article 11 of the Organic Law 2/2023 sets the general rules on the development of research at university institutions, including the promotion of knowledge transfer and cooperation with stakeholders, as well as the consideration of research activities for staff evaluation and career development. Article 12 defines scientific knowledge as a public good and hence open access shall be promoted. Article 13 sets the actions to promote research and technological development, including calls and programmes for doctorate students, cooperation across different knowledge areas, national and international research mobility and talent attraction among others.

As for the promotion of staff mobility, Article 66 of the Organic Law 2/2023 sets the general principles and conditions for the temporary mobility of teaching and research staff to a different university institution, research centre or private entity, while keeping the original assignment. It also stipulates that periods of affiliation to another public university will be counted for seniority purposes and will not prevent progress in the professional career, and that universities will provide adequate funding for mobility plans. Article 72 provides for the call of mobility competitions for permanent teaching and research staff, with candidates required to have been at least two years in their previous position and shall stay for at least two years in the new placement. Moreover, Article 27 states that the central and regional governments, as well as,

university institutions shall promote international mobility and exchange programmes, including for teaching and research staff.

Moreover, in line with the description of the measure, also **aims at equipping universities with highly skilled teachers, a more predictable teaching career, and that the link between teaching and research is strengthened, and a stronger link between teaching and research**.

In order to make the teaching career more predictable, Chapter IV of the Organic Law 2/2023 establishes the general conditions for the teaching and research staff, describes the different professional categories and sets the steps and processes for access and career development. More specifically, Article 64 sets the maximum of overall temporary teaching and research staff at 8% compared with the previous 40%.

Article 69 establishes the requirements for the accreditation of teaching staff by the National Agency for Quality Assessment and Accreditation (ANECA) with the aim of ensuring the quality of the selection process. These requirements include among others the need for the candidate to have developed teaching or research activities in a different institution where the doctorate has been obtained. The accreditation process is regulated by the Royal Decree 678/2023. Article 71 of the Organic Law 2/2023 provides that competitions called by university institutions to recruit permanent teaching staff shall comply with three conditions: i) teaching and research experience are equally considered for assessing merits; ii) the selection committees are composed of a majority of external members; and iii) a reserve of at least 15 % of the total number of posts shall be offered to doctoral research staff.

Section 2 of chapter IV of the Organic Law 2/2023 provides for the conditions and categories for teaching and research staff under a contractual relation. Article 78 establishes the rules for recruitment of assistant professors with doctorates, with a maximum contract duration of six years – compared to a previous maximum contract duration of five years – and a maximum number of 180 teaching hours per academic years so that sufficient capacity to engage in research activities is preserved, enabling assistant professors to meet their future accreditation requirements. The latter elements further contribute to a more predictable teaching career as assistant professors are equipped with longer contracts additional capacities to engage in activities that may contribute to permanent employment in the future.

The reform shall contribute to enhancing the labour market relevance of higher education, including the promotion of cooperation with private and third sector institutions and introducing performance-based funding of public universities.

Article 9 of Organic Law 2/2023 establishes the structure of the education offer and the purpose of the different cycles of university educations, including the provision that Master's degrees aim at the acquisition of competences aimed at academic or professional specialisation. Article 11 states that universities shall promote links between their research activities with social and cultural needs and the production system, taking particular account of the social and economic structure of the territory in which they are established. These provisions jointly enhance the labour market relevance of higher education as they insert professional specialisation as a specific aim of higher education and provide for the strengthening of links between the university offer and their socio-economic context.

As for the objective of promoting cooperation with private and third sector institutions, Article 11 of Organic Law 2/2023 also states that universities are to promote the formation of research networks between research institutions and companies. Article 14.2 prescribes that universities shall promote

cooperation with, among others, entities, companies, social agents and civil society organisations. The cooperation with civil society and the private sector is further enshrined in the Social Councils, regulated by Article 44 and 47 of the Organic Law 2/2023 and to be established by the statutes of universities. Article 18 provides that universities shall promote equitable, inclusive and sustainable economic and social development that can foster the creation of quality jobs and improve the welfare standards of the territory in which they are located. Article 30 states that universities shall promote activities contributing to the achievement of the UN Sustainable Development Goals. Article 60 states that research groups and teachers recognised by universities and research institutes, may conclude contracts with natural persons, universities or public and private entities for the performance of scientific, technological, humanistic or artistic work and for specific training activities. Article 61 provides that university institutions may set up or participate in knowledge-based entities or companies developed on the basis of patents or results generated by research, fully or partially publicly funded and carried out in universities.

As for the introduction of performance-based funding, Article 56 of the Organic Law 2/2023 establishes the multi-annual programming and financing sources for the university system. The first layer of financing corresponds to core structural needs, including staff expenditure, current expenditure on goods and services and investment, structural research structural and investments to ensure environmental sustainability. The second layer relates to structural funding for specific needs, such as those related to insularity, territorial dispersion and presence in rural areas among others. The third and final layer corresponds to funding by objectives. This additional funding will be established on the basis of achievement of strategic objectives set out in the multiannual programming that shall be linked to the improvement of teaching and research activities, knowledge transfer and exchanges, innovation, long-life learning, internationalisation, inter-university cooperation, the labour market integration of graduates, equality and diversity. The extent to which these strategic objectives have been achieved will be assessed by the competent regional authority and will serve as a basis for the next multiannual programming. The assessment shall be carried out on the basis of public, objective and transparent criteria. The importance of the labour market integration of graduates to determine structural funding serves as a further incentive to increase the labour market relevance of higher education.

Moreover, in line with the description of the measure, **it shall take into account recommendations made by the Conference of Spanish University Rectors (CRUE)**.

The Comments on the latest draft of the Draft Organic Law on the University System by the Conference of Spanish University Rectors (CRUE) from 16 November 2021 (point xii of the evidence provided) have been widely taken into account in the final text of the Organic Law 2/2023. This includes, but is not limited to, the recommendation to allow for the Social Council to be partly composed of members internal to the university community (Clause 7 of the Comments, reflected in Article 47.3 of the Organic Law 2/2023), the selection of the rector (Clause 10 of the Comments, reflected in Article 51.2 of the Organic Law 2/2023), and the remuneration of teaching and research staff (Clause 17 of the Comments, reflected in Article 87.4 of the Organic Law 2/2023).

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Target: ES-C[C21]-I[I4]-T[312], Grants awarded for post-doctoral researchers and university lecturers

Related Measure: C21.I4 – Training of teaching and research staff

Quantitative Indicator: Number

Baseline: 0

Target: 2600

Time: Q4 2023

1. Context:

Context:

The measure is aimed at supporting teaching and research staff by investing in grants to public universities that finance post-doctoral research stays. The measure thereby contributes to the requalification of the Spanish university system, the professional development of its teaching staff, and opportunities for recent PhD graduates to get incorporated into the higher education system in the future. The measure is expected to contribute to attract international talent and address the low rate of internationalisation in Spanish universities.

Target 312 requires the awarding of grants for post-doctoral researchers and university lecturers, to at least 2 600 candidates. The objectives of these grants include the promotion of professional development of its teaching staff who may be integrated into the system in the future. The grants shall finance research stays hosted by foreign universities and research centres, as well as in Spanish universities and other public agents. To this end, the grants shall contribute to attract international talent. The grants shall be provided under three different programmes, applying specific criteria depending on the aim and target group and they shall last between one to three years depending on the programme and target group.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii. Copy and link to Royal Decree 289/2021, of 20 April, regulating the direct granting of subsidies to public universities for the requalification of the Spanish university system (*Real Decreto 289/2021, de 20 de abril, por el que se regula la concesión directa de subvenciones a universidades públicas para la recualificación del sistema universitario español*) (BOE-A-2021-6391, of 22 April 2021)
iii. Copy and link to Order UNI/551/2021, of 26 May, granting the subsidies provided for in Royal Decree 289/2021, of 20 April, regulating the direct granting of subsidies to public universities for the requalification of the Spanish university system (*Orden UNI/551/2021, de 26 de mayo, por la que se conceden las subvenciones previstas en el Real Decreto 289/2021, de 20 de abril, por el que se regula la concesión directa de subvenciones a universidades públicas para la recualificación del sistema universitario español*)

iv. Order of the Minister of Universities transferring to the UNED for the Requalification and National and International Mobility of Teaching and Research Staff (TRS). Recovery and Resilience Mechanism, the Amount of €4,500,000.00, Provided for in Law 11/2020, of December 30, on the General State Budgets for the Year 2021 (*Orden del Ministro de Universidades por la que se transfiere a la UNED para la recualificación y movilidad nacional e internacional del personal docente investigador (PDI). Mecanismo de Recuperación y Resiliencia, la aantidad De 4.500.000,00€, prevista en la Ley 11/2020, de 30 de Diciembre, de Presupuestos Generales del Estado para el año 2021*)

v. Order of the Minister of Universities by which it is transferred to the UNED for the requalification and national and international mobility of teaching and research staff (TRS). Recovery and Resilience Mechanism, the amount of €4,500,000.00, provided for in Law 22/2021, of December 28, on the General State Budgets for the year 2022 (*Orden del Ministro de Universidades por la que se transfiere a la UNED para la recualificación y movilidad nacional e internacional del personal docente investigador (PDI). Mecanismo de Recuperación y Resiliencia, la cantidad de 4.500.000,00€, prevista en la Ley 22/2021, de 28 de Diciembre, de Presupuestos Generales del Estado para el año 2022)*

vi. For each of the 48 public universities, award decisions awarding grants to the candidates under the different programme lines, including to candidates on the waiting list. These universities are:
    a. A Coruña
    b. Alcalá
    c. Alicante
    d. Almería
    e. Autónoma de Barcelona
    f. Autónoma de Madrid
    g. Barcelona
    h. Burgos
    i. Cádiz
    j. Cantabria
    k. Carlos III de Madrid
    l. Castilla-La Mancha
    m. Complutense de Madrid
    n. Córdoba
    o. Extremadura
    p. Girona
    q. Granada
    r. Huelva
    s. Illes Balears (Les)
    t. Jaén
    u. Jaume I de Castellón
    v. La Laguna
    w. La Rioja
    x. Las Palmas de Gran Canaria
    y. León
    z. Lleida

aa. Málaga
bb. Miguel Hernández de Elche
cc. Murcia
dd. Oviedo
ee. Pablo de Olavide
ff. País Vasco/Euskal Herriko Unibertsitatea
gg. Politécnica de Cartagena
hh. Politécnica de Catalunya
ii. Politécnica de Madrid
jj. Politècnica de València
kk. Pompeu Fabra
ll. Pública de Navarra
mm. Rey Juan Carlos
nn. Rovira i Virgili
oo. Salamanca
pp. Santiago de Compostela
qq. Sevilla
rr. València (Estudi General)
ss. Valladolid
tt. Vigo
uu. Zaragoza
vv. Universidad Nacional de Educación a Distancia

3. Analysis:

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

Awarding of grants, for post-doctoral researchers and university lecturers, to at least 2 600 candidates. Article 1 of Royal Decree 289/2021, of 20 April, regulating the direct granting of subsidies to public universities for the requalification of the Spanish university system (point ii of the evidence provided) regulates the granting of subsidies to public universities with the purpose of i) training young doctors; ii) requalifying university teaching staff, whether civil servants or contract staff, by promoting the mobility of teaching and research staff; and iii) attracting international talent. Universities receiving the subsidies are to use them to finance aid corresponding to these purposes. Annex I to Royal Decree 289/2021 moreover specifies the distribution of subsidies and supported grants to public universities amounting to a minimum of 2,600 grants as a target. This distribution is also included in Order UNI/551/2021, of 26 May, granting the subsidies provided for in Royal Decree 289/2021, of 20 April, regulating the direct granting of subsidies to public universities for the requalification of the Spanish university system (point iii of the evidence provided).

The award decisions by the 48 Spanish public universities (point vi of the evidence provided) include the list of selected beneficiaries under each programme line. These annexes demonstrate that aid has been granted to 4,628 candidates. Out of these, 2,708 fall under the programme line Margarita Salas grants for the training of young doctors, 700 fall under the programme line Aid for the requalification of university

professors, whether civil servants or contracted, and 1,220 fall under the programme line María Zambrano grants to attract international talent. However, 1,307 grants have been excluded as the Spanish authorities have explained that an additional 780 awardees have waived the grants before starting the supported research stay while 527 awardees have waived the aid less than one year after the start of the supported research. Moreover, an additional 133 grants have been granted to candidates previously placed on the waiting list. This brings the total number of grants to **3,454**.

The categories of researchers eligible for the aid are further specified in the description of the measure and the compliance with these requirements is explained in relation to the measure description.

The objectives of these grants include the promotion of professional development of its teaching staff who may be integrated into the system in the future.
Section II of Annex II to Royal Decree 289/2021 sets out the conditions of the programme line Aid for the requalification of university professors, whether civil servants or contracted and specifies the requalification of teaching staff through training stays at a public university or research centre other than the one in which they maintain the statutory or employment relationship as the purpose of the programme line. Point (b) of Section II of Annex II to Royal Decree 289/2021 also specifies that teaching staff maintain a reserved place at the university where they were recruited without loss of seniority. This facilitates the re-integration of the teaching staff into their system following their research stay.

In line with the description of the measure, it **includes investments in grants to public universities, with the objective of promoting the requalification of the Spanish university system and promote the professional development of its teaching staff, as well as providing opportunities to recent PhD graduates to get incorporated into the higher education system in the future.**
Article 4 and Annex I of Royal Decree 289/2021 specify Spanish public universities as the beneficiaries of the subsidies. Article 1 and Annex I of Royal Decree 289/2021 specify the requalification of the Spanish university system as the purpose of the scheme. Section I of Annex II to Royal Decree 289/2021 sets out the requalification of young doctors as the purpose of the programme line Margarita Salas grants for the training of young doctors with a maximum of two years having been elapsed between the beneficiaries obtaining their doctoral degree and the closing date of the application submission period. Moreover, the last year of the stay supported by this programme line is to be completed at Spanish public universities, addressing the incorporation of recent PhD graduates in the higher education system in the future.

In line with the description of the measure, **the grants shall finance post-doctoral research stays**.
Annex II of Royal Decree 289/2021 specifies the eligible beneficiaries for the three programme lines separately, namely young doctors, university professors, associate professors, assistant professors or equivalent professions of a regional nature, and research and teaching staff with a postdoctoral career accumulated in foreign universities. These categories comprise researchers at different stages of their career following their doctorate. Notably, Section I of Annex II to Royal Decree 289/2021 sets out the requalification of young doctors as the purpose of the programme line Margarita Salas grants for the training of young doctors with a maximum of two years having been elapsed between the beneficiaries obtaining their doctoral degree and the closing date of the application submission period. This eligibility criteria thereby provide for the fact that the grants finance post-doctoral research stays.

The grants shall finance research stays hosted by foreign universities and research centres, as well as in Spanish universities and other public agents of the Spanish System of Science, Technology and Innovation.
In Annex II to Royal Decree 289/2021, the host institutions of the supported research stays are specified separately for each programme line. Section I of Annex II to Royal Decree 289/2021 sets out the conditions of the programme line Margarita Salas grants for the training of young doctors and specifies the training of young doctors through training stays in a Spanish public university or in foreign universities and research centres, as well as in Spanish Public Research Organisations, provided that the last year of the stay is carried out at a Spanish public university selected by these young doctors as the purpose of the programme line.

Section II of Annex II to Royal Decree 289/2021 sets out the conditions of the programme line Aid for the requalification of university professors, whether civil servants or contracted and specifies the requalification of teaching staff through training stays at a public university or research centre other than the one in which they maintain the statutory or employment relationship as the purpose of the programme line.

Section III of Annex II to Royal Decree 289/2021 sets out the conditions of the programme line María Zambrano grants to attract international talent and specifies the attraction of teaching and research staff with a postdoctoral career accumulated in foreign universities or research centres to Spanish public universities as the purpose of the programme line.

Jointly these provisions specify that all financed research stays are to be hosted by foreign universities and research centres, Spanish public universities, or Spanish Public Research Organisations.

The host institutions of the supported research stays are further specified in the description of the measure and the compliance with these requirements is explained below in relation to the measure description.

To this end, the grants shall contribute to attract international talent.
The programmes contribution to the attraction of international talent is addressed by the conditions of the programme line María Zambrano grants to attract international talent. Section III of Annex II to Royal Decree 289/2021 specifies the attraction of teaching and research staff with a postdoctoral career accumulated in foreign universities or research centres to Spanish public universities as the purpose of the programme line.

In line with the description of the measure, the investment is also expected to **address the low rate of internationalisation in Spanish universities.**
The internationalisation of Spanish universities is addressed by the two programme lines respectively supporting, among others, research stays at foreign universities, and research stays of researchers from foreign universities in Spanish public universities. Section I of Annex II to Royal Decree 289/2021 specifies foreign universities and research centres as one of the host institutions of the supported research stays of the programme line Margarita Salas grants for the training of young doctors, provided that the last year of the stay is carried out at a Spanish public university selected by these young doctors. Section III of Annex

II to Royal Decree 289/2021 and specifies the attraction of teaching and research staff with a postdoctoral career accumulated in foreign universities or research centres to Spanish public universities as the main purpose of the programme line María Zambrano grants to attract international talent.

The grants shall be provided under three different programmes, applying specific criteria depending on the aim and target group and they shall last between one to three years depending on the programme and target group.
In Annex II to Royal Decree 289/2021, the criteria and durations of the supported research stays are specified separately for each programme line. Section I, point (a) of Annex II to Royal Decree 289/2021 states that the Margarita Salas grants for the training of young doctors may have a duration of two or three years. Section I, point (a) of Annex II to Royal Decree 289/2021 states that the Aid for the requalification of university professors, whether civil servants or contracted may have a duration of one, two or three years in the case of permanent teaching staff and of one or two years in the case of assistant professors with doctorates, or equivalent positions of employment teaching staff of a regional nature. Section III, point (b) of Annex II to Royal Decree 289/2021 states that the María Zambrano grants to attract international talent may have a duration of two or three years.

In line with the description of the measure, the grants shall focus on **i) the training of recent PhD graduates; ii) grants to university lecturers – permanent professors and seniors lectures on tenure track; and iii) grants aimed at attracting international talent, financing post-doctoral training hosted by Spanish universities and other public agents of the Spanish System of Science, Technology and Innovation.**
In Annex II to Royal Decree 289/2021, the eligible beneficiaries of the supported research stays are specified separately for each programme line.

Section I of Annex II to Royal Decree 289/2021 specifies researchers for whom a maximum of two years have elapsed between the date of obtaining the doctoral degree and the closing date of the application submission period as eligible beneficiaries of the Margarita Salas grants for the training of young doctors.

Section II of Annex II to Royal Decree 289/2021 specifies university professors, associate professors, assistant professors, or equivalent work professors of a regional nature working in Spanish public universities as eligible beneficiaries of the Aid for the requalification of university professors, whether civil servants or contracted.

Section III of Annex II to Royal Decree 289/2021 sets out the conditions of the programme line María Zambrano grants to attract international talent and specifies the attraction of teaching and research staff with a postdoctoral career accumulated in foreign universities or research centres to Spanish public universities as the purpose of the programme line.

In line with the description of the measure, **each university shall receive directly a budget allocation from the Ministry of Universities based on objective criteria, including the number of teaching and research staff, and PHD thesis record.**
Order UNI/551/2021 includes the allocation of EUR 361,560,000 to the public universities for the financial years 2021, 2022, and 2023. This is followed by a table that includes the concrete allocation to each of the 47 public universities. As the National University of Distance Education (UNED) is directly linked to the

Ministry of Science, Innovation and Universities, the budget allocation to this university in undertaken by means of two credit transfers, specifically Order of the Minister of Universities transferring to the UNED for the Requalification and National and International Mobility of Teaching and Research Staff (TRS). Recovery and Resilience Mechanism, the Amount of EUR 4,500,000.00, Provided for in Law 11/2020, of December 30, on the General State Budgets for the Year 2021 (point iv of the evidence provided) and Order of the Minister of Universities by which it is transferred to the UNED for the requalification and national and international mobility of teaching and research staff (TRS). Recovery and Resilience Mechanism, the amount of EUR 4,500,000.00, provided for in Law 22/2021, of December 28, on the General State Budgets for the year 2022 (point v of the evidence provided*).*

The original text of Royal Decree 289/2021, in its twelfth paragraph, sets out that the distribution of the amount linked to the scheme is to be carried out according to objective criteria, i.e. the number of people having obtained a doctoral degree between 2017 and 2019, and the number of full-time research and teaching staff in the 2018-2019 academic year. Additionally, the original text of Order UNI/551/2021, in its eight paragraph, states that the distribution of the grants has been carried out based on the same criteria.

In line with the description of the measure, **based on applications, the candidates are to be evaluated by an expert panel with recognised prestige appointed by each university that includes a minimum of three members and a majority of external experts.**
In its fifth award condition Order UNI/551/2021 specifies the evaluation and selection procedures to be carried out in order to grant the aid and states that each university is to create an evaluation committee to evaluate the applications received in the calls. The committees are to consist of at least three teachers or researchers of recognised prestige with members for the most part being external to the convening university.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C21]-I[I6]-M[468], Publication of the Action Plan for the development of university micro-credentials

Related Measure: ES-C[21]-I[I6], Plan for the development of university micro-credentials

Qualitative Indicator: Publication on the website of the Ministry of Universities

Time: Q2 2023

1. Context:

The measure aims to develop the capacities of the university system as lifelong learning institutions and contribute to the up-skilling and re-skilling of adults in line with the Council recommendation adopted in June 2022 on a European approach to micro-credentials for lifelong learning and employability.

Milestone 468 is part of investment C21.I6 and consists of the publication of an action plan for the creation of a framework for the development of university micro-credentials with the objectives of transforming universities into lifelong learning institutions, encouraging demand by adults and their employers, promoting the quality and relevance of micro-credentials, supporting equity of access and creating personalised and flexible training pathways.

Investment C21.I6 will be completed by target 469 providing at least 60 000 units of micro-credentials corresponding to at least 1 000 different training actions on specific knowledge and skills in demand in the labour market, as well as the publication of an assessment report of the provision of micro-credentials up to 31 December 2025.

2. Evidence provided:

i. Summary document duly justifying how the milestone was satisfactorily fulfilled.

ii. Copy and the link to the publication of the Action Plan for the development of university micro-credentials (*Plan de Acción para el Desarrollo de Microcredenciales Universitarias en España*), website of the Ministry of Universities (https://www.universidades.gob.es/wp-content/uploads/2023/10/DOC-planmicrocreds_SIN-MARCAS.pdf).

iii. Copy of the Recommendation of the Council of 16 June 2022 on a European approach to micro-credentials for lifelong learning and the employability (2022/C 243/02), published in the Official Journal of the European Union on 27 June 2022 (C 243/10)

iv. Link to the report "Continuing training, a need for people and an opportunity for universities" ("*La formación permanente, una necesidad para las personas y una oportunidad para las universidades")* *(https://www.crue.org/2022/06/curso-verano-uji-formacion-permanente-y-universidad/)*

v. Link to the report "The employer DigitalES participates as an expert in an OECD 'workshop' on microcredentials" ("*La patronal DigitalES participa como experta en un 'workshop' de OCDE sobre microcredenciales")* *(https://www.digitales.es/la-patronal-digitales-participa-como-experta-en-un-workshop-de-ocde-sobre-microcredenciales/)*

vi. Link to the report "ANECA celebrates the 'Microcredencial event. Inclusive training in all formats and for all ages'" ("*ANECA celebra el evento 'Microcredenciales. Formación inclusiva en todos los formatos y para todas las edades'") (https://www.aneca.es/-/aneca-celebra-el-evento-microcredenciales.-formaci%C3%B3n-inclusiva-en-todos-los-formatos-y-para-todas-las-edades-)*

3. Analysis:

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

Publication of an action plan for the creation of a framework for the development of micro-credentials elaborated by the Ministry of Universities […] on the ministry's website.

The Action Plan for the development of university micro-credentials was published on the website of the Ministry of Universities in June 2023 as provided for in the cover note and the provided link (point ii of the evidence provided). The introduction of the Action Plan states that its aim is to formulate a coherent framework for the development of micro-credentials in the Spanish university system, in accordance with the provisions of the European Recommendation, and to propose a first set of actions to help boost the provision of quality and relevant university micro-credentials.

[…] following debates on micro-credentials in events with stakeholders […]

The summary document describes the consultation of different stakeholders for the elaboration of the Action Plan, including among others the contributions by the Conference of Spanish University rectors (CRUE) on the specificities of micro-credentials, business associations on the identification of skills in demand, and other state actors on the funding and the scholarship system.

Three provided links demonstrate the participation of the Ministry of Universities in debates on micro-credentials in events with different stakeholders.

- The report "Continuing training, a need for people and an opportunity for universities" (point iv of the evidence provided) reflects a discussion of micro-credentials with the participation of the Conference of Rectors of Spanish Universities (CRUE) and the Ministry of Universities on 15 June 2022.
- The report "The employer DigitalES participates as an expert in an OECD 'workshop' on microcredentials" (point v of the evidence provided) reflects a discussion of micro-credentials with the participation of the telecommunications industry associations DigitalES, the Ministry of Universities, and other stakeholders.
- The report "ANECA celebrates the 'Microcredencial event. Inclusive training in all formats and for all ages'" (point vi of the evidence provided) reflects a discussion of micro-credentials with the participation of National Agency for Quality Assessment and Accreditation (ANECA), the Telefonica Foundation, the Conference of Social Councils, the Ministry of the Labour and Social Economy, and the Ministry of Universities.

The plan shall cover actions to transform universities into lifelong learning institutions.

One of the five strategic objectives of the Action Plan is the transformation of universities into institutions for all ages, reflected in Pillar 2. Actions proposed for this purpose include the development of a collaborative governance through events with stakeholders and regular monitoring, financing the

provision of training with the creation of a fund of EUR 50 million for a pilot project under target 469 of this same measure, the provision of incentives to research and teaching staff to participate in the training offer, the development of planning and management capacity for the planning and management of micro-credentials at university institutions, and the promotion of inter-university collaborations for the production and dissemination of micro-credentials by universities.

Moreover, in line with the description of the measure, **it aims to contribute to the up-skilling and re-skilling of adults in line with the Council recommendation adopted in June 2022 on a European approach to micro-credentials for lifelong learning and employability**.

The Council Recommendation, in its main objectives, aims to i) enable individuals to acquire, update and improve the knowledge, skills and competences they need to thrive in an evolving labour market and society, to benefit fully from a socially fair recovery and Just Transitions to the green and digital economy and to be better equipped to deal with current and future challenges; ii) support the preparedness of micro-credential providers to enhance the quality, transparency and flexibility of their learning offer to empower individuals to forge personalised learning and career pathways; iii) foster inclusiveness, access and equal opportunities, and contribute to the achievement of resilience, social fairness and prosperity for all, in a context of demographic change and throughout all phases of economic cycles. The strategic objectives and actions proposed in the Action Plan contribute to these objectives as explained below.

The plan shall cover actions to encourage demand by adults and their employers.

One of the five strategic objectives of the Action Plan is the promotion of lifelong learning among adults and employers, reflected in Pillar 1. Actions proposed for this purpose include the improvement of awareness of the provision of micro-credentials by the university system, the facilitation of access through the creation of a national register of micro-credentials and a one-stop shop platform, financing the demand by developing individual training accounts, and the mediation between businesses and universities by developing pilot tests to disseminate training opportunities. These proposed actions address the Council recommendation to enable individuals to acquire, update and improve the knowledge, skills and competences they need to thrive in an evolving labour market and society, to benefit fully from a socially fair recovery and Just Transitions to the green and digital economy and to be better equipped to deal with current and future challenges.

The plan shall cover actions to promote the quality and relevance of micro-credentials.

One of the five strategic objectives of the Action Plan is the provision of micro-credentials with educational and labour market relevance, reflected in Pillar 3. Actions proposed for this purpose include the provision of lifelong learning geared to the needs of the adult population and production sectors through the development of skills intelligence supported by the European Technical Support Instrument, the promotion of innovation and teaching quality in lifelong learning through re-skilling programmes for adults and experienced professionals, the provision of an appropriate quality assurance system, and the continuous improvement of lifelong learning through regular monitoring and evaluation. These proposed actions address the Council recommendation to support the preparedness of micro-credential providers to enhance the quality, transparency and flexibility of their learning offer to empower individuals to forge personalised learning and career pathways.

The plan shall cover actions to support equity of access.

One of the five strategic objectives of the Action Plan is ensuring the right to training for all adults, reflected in Pillar 4. Actions proposed for this purpose include an increase of the participation of people at risk of social exclusion in university micro-credentials through occupational orientation and the promotion of a scheme of scholarships for the unemployed, the prevention of dropouts of people at risk of social exclusion, an increase of participation of self-employed and SME employees in lifelong learning, and an increase of the reskilling of workers in the social third sector. These proposed actions address the Council recommendation to foster inclusiveness, access and equal opportunities, and contribute to the achievement of resilience, social fairness and prosperity for all, in a context of demographic change and throughout all phases of economic cycles.

The plan shall cover actions to create personalised and flexible training pathways.

One of the five strategic objectives of the Action Plan is to facilitate personalised educational pathways for adult population, reflected in Pillar 5. Actions proposed for this purpose include to facilitate the aggregation and combination of micro-credentials in flexible training pathways, to facilitate an alternative access to university for adults by completing and aggregating micro-credentials and to provide a link between the micro-credentials ecosystem and the education system by updating the national qualification system.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C22]-I[I1]-T[321], Projects executed by the Ministry of Social Rights and Agenda 2030

Related Measure: ES-C[22]-I[I1], Long-term care and support plan: deinstitutionalisation, equipment and technology

Quantitative Indicator: Number

Baseline: 0

Target: 6

Time: Q2 2023

1. **Context**

This measure aims to transform Spain's long-term care system by shifting from institutional care to community- and home-based alternatives, enhancing infrastructure, and modernising care services. Key objectives of this measure include assessing and reforming current care policies, developing a national deinstitutionalisation strategy, and implementing pilot projects to improve care models. Additionally, certain investments will focus on constructing and renovating care facilities in line with the UN Convention on the Rights of Persons with Disabilities, reforming rural day care centres and introducing innovative tele-care services for proactive, personalised in-home care.

Target 321 concerns the completion of six pilot projects on deinstitutionalised care - of which one focusing on support and care to people with intellectual disabilities.

Target 321 is the first step of the implementation of the investment, and it will be followed by Target 470, related to the publication in the Official Journal or the public procurement platform of the award of at least EUR 1 335 000 000 for refurbishing and building residential, non-residential and day-care centres, to adapt them to the new long-term care model, Target 322, related to the deployment of new telecare services for at least EUR 304 million, and Target 323, related to the refurbishment and/or built residential, non-residential and day-care centres so as to adapt to at least 16 300 places, of which 1 100 places focusing on persons with disabilities, to the new long-term care model.

The investment has a final expected date for implementation by 30 June 2026.

2. **Evidence Provided**

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii. Link to the call for proposals under Order DSA/1199/2021, of November 4, establishing the regulatory framework and calling for grants for innovative projects related to the prevention of institutionalization, deinstitutionalization, and the development of community support services in the field of long-term care, linked to the Recovery and Resilience Plan. *(Orden DSA/1199/2021, de 4 de noviembre, por la que se establecen las bases reguladoras y se convocan subvenciones para la realización de proyectos de innovación en materia de prevención de la institucionalización,*

desinstitucionalización y desarrollo de servicios de apoyo comunitarios en el ámbito de los cuidados de larga duración, vinculados con el Plan de Recuperación, Transformación y Resiliencia.)

iii. Certificate for pilot project 1 - Mi Casa (*Certificado Mi Casa fdo*)
iv. Certificate for pilot project 2 – Rumbo (*Certificado RUMBO fdo*)
v. Certificate for pilot project 3 – Derecho a la Vivienda (*Certificado DAV fdo*)
vi. Certificate for pilot project 4 – Crece (*Certificado CRECE_fdo*)
vii. Certificate for pilot project 5 - Redes AFE (*Certificado Redes AFE fdo*)
viii. Certificate for pilot project 6 - Biocuidados (*Certificado Biocuidos_fdo*)
ix. Certification from the Ministry of Social Rights noting that the pilot phase of the project "Mi Casa" was implemented as planned. *(anexo-1-proyectos-piloto-321o-c22-i1-mdsca-certificado-p1-micasa-sp5-6761d93389b50)*
x. Certification from the Ministry of Social Rights noting that the pilot phase of the project "Rumbo" was implemented as planned. *(anexo-1-proyectos-piloto-321o-c22-i1-mdsca-certificado-p2-rumbo-sp5-6761d933c78c3)*
xi. Certification from the Ministry of Social Rights noting that the pilot phase of the project "Derecho a la Vivienda" was implemented as planned. *(anexo-1-proyectos-piloto-321o-c22-i1-mdsca-certificado-p3-derechosvivienda-sp5-6761d933e6780)*
xii. Certification from the Ministry of Social Rights noting that the pilot phase of the project "Crece" was implemented as planned. *(anexo-1-proyectos-piloto-321o-c22-i1-mdsca-certificado-p4-crece-sp5-6761d934a8123)*
xiii. Certification from the Ministry of Social Rights noting that the pilot phase of the project "Redes AFE" was implemented as planned. *(anexo-1-proyectos-piloto-321o-c22-i1-mdsca-certificado-p5-afe-sp5-6761d93430b34)*
xiv. Certification from the Ministry of Social Rights noting that the pilot phase of the project "Biocuidados" was implemented as planned. *(anexo-1-proyectos-piloto-321o-c22-i1-mdsca-certificado-p6-biocuidados-sp5-6761d9352f025)*
xv. Individual project fiche for the pilot project Mi Casa (*anexo-2-proyectos-piloto-321o-c22-i1-mdsca-fichaproyecto-p1-mi-casa-sp5-6761d94250e21*)
xvi. Individual project fiche for the pilot project Rumbo (*anexo-2-proyectos-piloto-321o-c22-i1-mdsca-fichaproyecto-p2-rumbo-sp5-6761d936595da*)
xvii. Individual project fiche for the pilot project Derecho a la Vivienda (*anexo-2-proyectos-piloto-321o-c22-i1-mdsca-fichaproyecto-p3-derechos-a-la-vivienda-sp5-6761d935cd5f3*)
xviii. Individual project fiche for the pilot project Crece (*anexo-2-proyectos-piloto-321o-c22-i1-mdsca-fichaproyecto-p4-crece-sp5-6761d936eae30*)
xix. Individual project fiche for the pilot project Redes AFE (*anexo-2-proyectos-piloto-321o-c22-i1-mdsca-fichaproyecto-p5-afe-sp5-6761d93677128*)
xx. Individual project fiche for the pilot project Biocuidados (*anexo-2-proyectos-piloto-321o-c22-i1-mdsca-fichaproyecto-p6-biocuidados-sp5-6761d9374a0da*)

3. Analysis

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

Completion of 6 pilot projects on deinstitutionalised care, of which one focusing on support and care to people with intellectual disabilities.

Six pilot projects on deinstitutionalised care – *Mi Casa, RUMBO, CRECE, Derechos a la Vivienda, Redes AFE,* and *Biocuidados* – have been successfully completed. Spain has provided certificates for each of the six pilot projects, issued by the Spanish Ministry of Social Rights - Directorate General for Family Diversity and Social Services (points ix. to xiv. of the evidence list above). The certification is based on the review of the progress and final reports, data from the COFFEE system (internal digital platform for monitoring and managing EU-funded projects), and a meeting where the results of the pilot projects were presented. The certificates also state that the group of beneficiary entities benefitting from the aid was granted the funding to implement the pilot projects based on Order DSA/1199/2021, of November 4, stablishing the regulatory framework and calling for grants for innovative projects related to the prevention of institutionalisation, deinstitutionalisation and the development of community support services in the fields of long-term care, linked to the Recovery and Resilience Plan. In addition, all six pilot projects were subject to external monitoring, evaluation and documentation by UTE Means-Tangente - a consortium formed by *Fundación MEANS* and *Grupo Cooperativo Tangente* to provide technical assistance, evaluation, and coordination (points iii. to viii. of the evidence list above). In its signed certificate, UTE Means-Tangente states that it carried out a series of actions with the six pilot projects under the Order DSA/1199/2021, including analysis, co-creation, monitoring, evaluation, communication, and digital coordination. The certificate specifies that these actions – alongside an onsite visit – contributed to verifying the implementation of the projects as of June 2023.

Collectively, these pilot projects address key and diverse dimensions of long-term care: independent living for persons with intellectual disabilities (*Mi Casa*), digital and personal autonomy supports for people with complex disabilities (*RUMBO*), empowerment and community participation for youth and other vulnerable groups (*CRECE*), housing-first approaches for people experiencing homelessness (*Derechos a la Vivienda*), specialised family-based care for children in protection systems (*Redes AFE*), and integrated care ecosystems in rural areas (*Biocuidados*). While each initiative is tailored to distinct populations and deployed with different actions, they are united by a shared commitment to person-centred approaches, new models of organisational governance, and innovative portfolios of support and care services for individuals, including but not limited to community-rooted support models, that respect autonomy, inclusion, and human rights.

Each pilot project is documented in an individual fiche (points xv. to xx. of the evidence list above) that outlines the initial context, intervention strategy, results, and recommendations for continuity and transfer. Each individual fiche provides a structured account of the project's objectives, governance model, implementation activities, and results. They offer project-level evidence that complements the official certificates issued by the Ministry of Social Rights and UTE Means-Tangente. The individual fiches document how each pilot project contributes to the overarching goal of deinstitutionalisation and the transformation of long-term care.

- *Mi casa* implemented 58 community-based homes, replacing traditional residential facilities for persons with intellectual and developmental disabilities, based on individual life projects (i.e. projects that refer to a flexible, personalised support model built around the expressed wishes, goals, and preferences of each person with intellectual or developmental disabilities) and strong community engagement mechanisms (i.e. structured ways of embedding people with disabilities into local communities).
- *RUMBO* demonstrated innovative use of technology and interregional cooperation to create inclusive, personalised support routes for people with disabilities, emphasising replicability through a shared methodology and digital tools.

- *Derechos a la Vivienda* addressed systemic homelessness by adapting the Housing First model, integrating legal, phycological and emotional support.
- *CRECE* fostered the empowerment and life skills of groups at risk of institutionalisation through personalised mentorship, co-design and activation pathways.
- *Redes AFE* established a structured model of personalised family foster care for children, supported by targeted training, digital tools, a national awareness campaign and a robust engagement strategy with autonomous communities.
- *Biocuidados* built local care ecosystems in depopulated rural areas, training community connectors (i.e. local actors embedded in the community whose primary function is to activate and coordinate local support around each person participating in the project). and activating volunteer networks to sustain care in less populated environments.

All six projects include recommendations for the project continuity (Chapter 17 of the individual project fiches - points xv. to xx of the evidence list above) which would support further deinstitutionalisation and therefore the transforming of support and long-term care. The pilot projects were supported by a common platform – VIDAS – managed by UTE Means-Tangente, which served as a common framework for monitoring, evaluation, knowledge exchange, and the promotion of long-term care system transformation toward community-based models. The actors involved are public administrations, NGOs, cooperatives, and technical experts, ensuring multisectoral participation. The project fiches, validated certificates, and final reporting confirm that the six pilot projects fulfilled the milestones requirements, in addition to also collectively providing a portfolio of innovative and scalable practices that contribute to the national strategy for the transformation of long-term care in Spain.

The pilot project *Mi Casa: una vida en comunidad* is the initiative that particularly focuses on the support and care to people with intellectual disabilities. Led by Plena inclusion, an associative movement that fights for rights of people with intellectual and developmental disabilities and their families, and its network of other entities, this project is designed to enable people with intellectual and developmental disabilities to live independently within the community, with personalised supports tailored to their individual life plans. The project replaces traditional residential models with inclusive housing alternatives, based on co-housing and community engagement.

In line with the description of the measure, **Spain shall invest in six actions areas. [...] iii. Six pilot projects aimed at boosting deinstitutionalization and drawing lessons for the transforming of support and long-term care, including for support and long-term care for persons with intellectual disabilities.**

The six pilot projects were designed as concrete actions to promote deinstitutionalisation, community care and/or a person-centred approach by replacing traditional residential or institutional care with personalised, community-based alternatives. For instance, *Derechos a la Vivienda* piloted a Housing First model, which provides immediate, unconditional access to permanent housing as a starting point for recovery, rather than a reward for behavioural compliance. This housing was combined with flexible, person-centred support services – including emotional, legal, and employment support - as a pathway out of cyclical institutional care. *Biocuidados* created local care ecosystems in 18 rural territories by training community agents who coordinate care at local level and activating volunteer networks to maintain support in depopulated environments. *Redes AFE* provided children in care with a stable alternative to institutional placement by piloting specialised family fostering in four autonomous communities, under a framework developed through co-production with regional governments. *CRECE* focused on preventing institutionalisation by empowering vulnerable groups – especially young people in formerly protection

systems – through personalised mentorship and skills development. *RUMBO* integrated digital tools and personalised service planning for people with complex disabilities to support autonomy and self-direction.

Beyond implementation, each pilot project was conceived as a site of learning and system innovation, with concrete outputs designed to draw lessons for the transformation of support and long-term care. *CRECE* identified the need for flexible, person-centred responses adapted to territorial realities, proposing a comprehensive approach that combines community participation, co-design and cross-sector collaboration. *RUMBO* provides a detailed plan for scalability, including service cost parameters, interterritorial alliances, and a replicable digital framework for autonomy-focused care. *Redes AFE* developed a shared working framework and a catalogue of resources to support regional development of specialised foster care, with clear evidence of transferability across different child protection systems. *Biocuidados* offers operational guidance on integrating local actors and informal networks into the care system, including advocacy for legal recognition of the role of local actors embedded in the community (*facilitadoras comunitarias*) and proposals for regional toll-out strategies. *Mi Casa* articulates policy recommendations related to service eligibility housing regulation reform, and care coordination models to better support independent living for people with intellectual disabilities. Each project fiche includes a dedicated section on recommendations for continuity and transfer, ensuring the capture of lessons learned in a format accessible to policymakers and practitioners.

As stated above, the *Mi Casa* pilot project focuses exclusively on support and long-term care for persons with intellectual and developmental disabilities. The project created 58 inclusive homes across ten autonomous communities, replacing institutional settings with co-housing arrangements grounded in individual life projects (*proyectos de vida*), which reflect each person's preferences, goals, and needs. Supports are tailored and delivered through trained facilitators and *conectores comunitarios (*community connectors), ensuring not only practical assistance but also meaningful social inclusion. The model operationalises Article 19 of the UN CRPD (United Nations Convention on the Rights of Persons with Disabilities) by allowing persons with intellectual disabilities to choose where and with whom to live and to participate fully in community life. The project's approach is structured around three pillars: choice of housing, personalised supports, and community engagement—each of which is reinforced through co-design with participants and stakeholders. The implementation of *Mi Casa* has been officially certified by UTE Means-Tangente, which confirmed its exclusive focus on people with intellectual disabilities.

4. **Commission Preliminary Assessment**

Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C22]-I[I4]-M[473], Setting up various type of services for victims of sexual violence

Related Measure: ES-C[22]-I[I4], Plan Spain protects you from gender violence

Qualitative Indicator: Entry into force of legislation

Time: Q1 2023

1. **Context**

The objective of this investment is to enhance support and protection for victims of gender violence, including those subjected to trafficking and sexual exploitation, through the establishment of comprehensive, 24-hour crisis assistance centres across all provinces and improved telecommunication services.

Milestone 473 requires the setting up of various types of services for victims of sexual violence. In particular, it concerns the entry into force of legislation setting up a new social and employment guidance services for victims of sexual violence providing various type of services, including legal advice, psychological and emotional support, and assistance to labour market integration.

Milestone 473 is the first milestone of the investment. It will be followed by milestone 472, related to the investment in telephone services and online services to support victims of violence against women, in addition to milestone 327, which concerns the operationalisation of at least one comprehensive care centre for victims of sexual violence per province as well as one in the autonomous Spanish cities of Ceuta and Melilla, respectively.

The investment has a final expected date for implementation by 31 December 2025.

2. **Evidence provided:**

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Link and annex: Publication in the Official Journal No. 215 on 07 September 2022 (*Boletín Oficial del Estado*) (*BOE-A-2022-14630*) of Organic Law 10/2022 of 6 September, on the comprehensive guarantee of sexual freedom. (*Ley Orgánica 10/2022, de 6 de septiembre, de garantía integral de la libertad sexual*);

iii. Link and annex: Royal Decree 634/2022 of July 26, which regulates the direct granting of subsidies from the Ministry of Equality to various entities for the socio-labor insertion of women and girls victims of trafficking, sexual exploitation and women in contexts of prostitution, within the framework of the RRP (*El Real Decreto 634/2022, de 26 de julio que regula la concesión directa de subvenciones del Ministerio de Igualdad a diversas entidades para la inserción sociolaboral de mujeres y niñas víctimas de trata, de explotación sexual y mujeres en contextos de prostitución, en el marco del PTRT*)

iv. Link and annex: Law 31/2022, of 23 December, on General State Budgets for the year 2023. (*Ley 31/2022, de 23 de diciembre, de Presupuestos Generales del Estado para 2023*)

v. Link: Resolution of 15 September 2022, of the Secretary of State of Equality and against Gender Violence, by which the Convention is published with the Women's Institute as a collaborating entity in the management of subsidies to various entities for the socio-labour insertion of women and girls victims of trafficking, sexual exploitation and women in contexts of prostitution. (*Resolución de 15 de septiembre de 2022, de la Secretaría de Estado de Igualdad y contra la Violencia de Género, por la que se publica el Convenio con el Instituto de las Mujeres, como entidad colaboradora en la gestión de subvenciones a diversas entidades para la inserción sociolaboral de mujeres y niñas víctimas de trata, de explotación sexual y mujeres en contextos de prostitución*.)

vi. Annex 01: Summary document of the activities carried out through the services: Specific socio-labour insertion programmes and support for girls and women of sexual trafficking, sexual exploitation and women in prostitution context carried out by entities within the framework of the RRP. (*Programas específicos de inserción sociolaboral y acompañamiento para niñas y mujeres victimas de trata, de explotación sexual y mujeres en contextos de prostitución que llevan a cabo las entidades en el marco del PRTR*);

vii. Annex 02: Coordination plan 2023 - socio-labour insertion plan for women and girls victims of trafficking, sexual exploitation and for women in prostitution. (*Plan de Coordinacion 2023 – Plan de insercion sociolaboral para mujeres y ninas victimas de trata, de explotacion sexual y para mujeres en situacion de prostitucion*);

viii. Annex 03: Final activity report of the Adoratrices Social Work Group in Spain for the year 2022 (Execution 2022-2023) [*Memoria de Actividad de la Agrupacion obra Social Adoratrices en España - Plan para la inserción sociolaboral de mujeres y niñas víctimas de trata explotación sexual y mujeres en contextos. Año 2022 (Ejecución 2022-2023)*]

ix. Annex 03bis: Accreditive Certification End of Project Group of Entities Social Work Adoratrices in Spain (*CERTIFICACIÓN ACREDITATIVA FIN DE PROYECTO AGRUPACIÓN DE ENTIDADES OBRA SOCIAL ADORATRICES EN ESPAÑA*)

x. Annex 04: Final activity report of the Adoratrices Social Work Group in Spain for the year 2023 (Execution 2023-2024) [*Memoria de Actividad de la Agrupacion obra Social Adoratrices en Espana - Plan para la inserción sociolaboral de mujeres y niñas víctimas de trata explotación sexual y mujeres en contextos. Año 2023 (Ejecución 2023-2024)*]

xi. Annex 05: Technical report of the Women in Conflict Zone entity justifying final activity 1st year (2022 – 2023) (*MEMORIA TÉCNICA JUSTIFICATIVA FINAL DE ACTIVIDAD 1ª ANUALIDAD 2022-2023)*

xii. Annex 05bis: Accreditive Certification End of Project of Entity: Women in Conflict Zone (*CERTIFICACIÓN ACREDITATIVA FIN DE PROYECTO ENTIDAD: MUJERES EN ZONA DE CONFLICTO*)

xiii. Annex 06: ONGD Women in Conflict Zone. Executive summary. Justification Year II Path Plan (*ONGD Mujeres en Zona de Conflicto Resumen ejecutivo. Justificación Año II Plan Camino*)

xiv. Annex 07: Final activity report of the White Cross Foundation entity for the 1st year (2022-2023) (M*EMORIA FINAL DE ACTIVIDAD DE LA 1ERA ANUALIDAD*)

xv. Annex 07bis: Accreditive Certification End of Project of Entity: White Cross Foundation (*CERTIFICACIÓN ACREDITATIVA FIN DE PROYECTO ENTIDAD: FUNDACIÓN CRUZ BLANCA*)

xvi. Annex 08: Final activity report of the White Cross Foundation entity for the 2nd year (2023-2024) (*MEMORIA FINAL DE ACTIVIDAD DE LA 2A ANUALIDAD)*

xvii. Annex 09: Technical report of the Association for the Prevention, Reintegration and Care of Prostituted Women (APRAMP) entity 1st year (*Memoria Técnica de la Asociación para la Prevención, Reinserción y Atención a la Mujer Prostituida, APRAMP, 1ª anualidad)*

xviii. Annex 09bis: Accreditive Certification End of Project of Entity: APRAMP *(CERTIFICACIÓN ACREDITATIVA FIN DE PROYECTO ENTIDAD: APRAMP)*

xix. Annex 10: Technical report of the Association for the Prevention, Reintegration and Care of Prostituted Women (APRAMP) entity 2nd year (*Memoria Técnica de la Asociación para la Prevención, Reinserción y Atención a la Mujer Prostituida, APRAMP, 2ª anualidad)*

xx. Annex 11: Justification report of the entity Doctors of the World (16/11/2022 - 30/09/2023) (*MEMORIA JUSTIFICATIVA de la ENTIDAD MÉDICOS DEL MUNDO 15/11/2022 - 30/09/2023*)

xxi. Annex 11bis: Accreditive Certification End of Project of Entity: Doctors of the World (*CERTIFICACIÓN ACREDITATIVA FIN DE PROYECTO ENTIDAD: MÉDICOS DEL MUNDO*)

xxii. Annex 12: Brief technical justification report of the entity Doctors of the World - 2nd year (01/10/2023 - 30/09/2024) (*MEMORIA BREVE DE JUSTIFICACIÓN TÉCNICA de la ENTIDAD MÉDICOS DEL MUNDO 2º ANUALIDAD 01/10/2023 - 30/09/2024*)

3. **Analysis:**

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

Entry into force of the legislation creating the right for victims of sexual violence to receive social and employment guidance services, including legal advice, psychological and emotional support, and assistance to labour market integration.

Organic Law 10/2022, of 6 September, on the comprehensive guarantee of sexual freedom was published in the Official Journal on 7 September 2022. According to its 25th final provision, the law shall enter into force thirty days after its publication (i.e. on 7 October 2022). Chapter I of Title IV and Title VI of this Law shall apply within six months of its publication in the Official Journal. Likewise, letter e) of section 1 of Article 33 of the Organic Law shall apply upon entry into force of the regulatory amendment provided for in the 21st final provision (within one year of the entry into force of this Organic Law, the Government will submit to the General Court a draft reform of Law 1/1996, of January 10, on free legal aid to victims of sexual violence, under the terms and with the objectives set forth in this Organic Law). At the moment of the assessment, all relevant provisions necessary to assess the requirements as laid out in the Council Implementing Decision, have entered into force.

Article 3.2 of Organic Law 10/2022 of 6 September 2022 (the Organic Law) defines the individuals entitled to specialised assistance services addressed to help them overcome the physical, psychological, social and other consequences derived from sexual violence. Its specifies that the Organic Law is applied to women, girls and boys who have been victims of sexual violence in Spain, regardless of their nationality or their administrative situation. Furthermore, Article 3.2 also clarifies that this law is applicable to women, girls and boys who have been victims of sexual violence abroad, provided they are of Spanish nationality.

Article 33.1.d of the Organic Law stipulates that this group has the right to receive assistance in economic, labour, housing and social matters. Article 35 of the Organic Law details the specific services that must be made available to victims of sexual violence. The article states that public administrations will promote the right to specialised and accessible comprehensive assistance through the availability of key services designed to support victims of sexual violence. Specifically, Article 35.1.a establishes that these services

will include 24-hour crisis centres that provide psychological, legal and social care, also ensuring urgent assistance to victims, their families members and close contacts, through both in-person and telephone support available 24 hours. Additionally, Article 35.1.b outlines the provision of comprehensive recovery services, including interdisciplinary psychological support, as well as social, educational, labour, and legal assistance aimed at the long-term recovery of victims. Article 35.1.c stipulates the needs for victims of trafficking and sexual exploitation, guaranteeing access to psychological assistance, legal support, and social advice in their native language. Article 35.1.d further specifies that specialised care services for girls and boys of victims of sexual violence will be provided. These are services adapted and appropriate to their needs, which provide psychological and legal assistance.

Article 33.1.e of the Organic Law provides that victims of sexual violence have the right to receive legal advice. Specifically, it establishes that this group will have the right to prior legal consultation and free legal assistance in processes related to violence, under the terms provided for in the free legal assistance legislation. Article 35.2 of the Organic Law ensures that, in all cases, access to the services defined under Article 35.1 will be free and that the dignity, confidentiality, and the right to protection of personal data of victims and third parties are respected.

Articles 39 and 41 of the Organic Law guarantee victims of sexual violence the right to receive assistance to labour market integration. Firstly, article 39.1 states that a specific action programme will be developed for victims of sexual violence registered as job seekers, including measures to encourage self-employment. Article 39.2 further provides that unemployed victim of sexual violence, as well as self-employed workers who have ceased their activity due to victimisation, are entitled to participate, when applying for a job, in specific job placement programmes and are eligible to receive economic aid.

Furthermore, in line with the description of the measure, **the investment shall also set up a new social and employment guidance service providing various type of services, including legal advice, psychological and emotional support, and assistance to labour market integration for victims of trafficking and sexual exploitation.**

Royal Decree 634/2022, of 26 July, which regulates the direct granting of subsidies from the Ministry of Equality to various entities for the social and labour integration of women and girls who are victims of trafficking, sexual exploitation and women in prostitution, within the framework of the Recovery and Resiliency Plan, was published in the Official Journal on 27 July 2022. According to its 2nd final provision, the Royal Decree shall enter into force on the day following its publication in the Official Journal (i.e. on 28 July 2022).

Article 1 of Royal Decree 634/2022, of 26 July, establishes that the investment is intended to regulate the development of socio-labour insertion programmes aimed at women and girls who are victims of trafficking, sexual exploitation, or in situations of prostitution. These programmes constitute the operational framework through which social and employment guidance services – such as legal advice, social guidance, psychological support, and assistance with labour market integration – are delivered. The article outlines that this Royal Decree aims to regulate the direct granting of subsidies in favour of five entities: 1) *Médicos del Mundo*; 2) *Mujeres en Zona de Conflicto*; 3) *Obra Social de Adoratrices en España (Fundación de Solidaridad Amaranta y la Congregación Religiosa de Adoratrices*); 4) *Fundación Cruz Blanca*; and 5) *la Asociación para la Prevención, Reinserción y Atención a la Mujer Prostituida (APRAMP).*

Article 3.1 of Royal Decree 634/2022, of 26 July, outlines the specific activities eligible for funding. These include socio-labour integration, protection, and psychological support for women who are victims of trafficking for the purposes of sexual exploitation, sexual exploitation, or prostitution. In particular, Article 3.1.a establishes that these activities will include integrated employment pathways, such as the provision of information, advice, training and manage the recognition of studies completed. It also includes facilitating access to internships in companies, provide support in job search and trainings for job interviews. In addition, Article 3.1.b induces the provision of a free telephone number for information, guidance and socio-labour referrals. Article 3.1.d specifies the inclusion of assistance in regularisation processes for the employability of women victims of trafficking for sexual exploitation, victims of sexual exploitation and women in an irregular administrative situation. Article 3.2 of Royal Decree 634/2022, of 26 July, further specifies the actions aimed at providing comprehensive care, protection and psychological support to women victims of trafficking or sexual violence in the transition period, leading to their labour market integration, carried out by multidisciplinary teams made up of healthcare, social, legal and psychologist professionals who provide support to both women and their children. These measures include itineraries for socio-educational integration pathways, training for children and dependents of female victims, individualised support to complement comprehensive assistance and reinforces the exit routes from prostitution and support in access to housing through advice, information, mediation and temporary housing offers until the victim's socio-labour insertion is achieved.

Article 15.3 of Royal Decree 634/2022, of 26 July, specifies that the beneficiary entities will justify compliance with the conditions imposed and the achievements of the objectives set out in this same Royal Decree. Articles 9.1 and 15.3 of Royal Decree 634/2022 of 26 July state that the *Instituto de las Mujeres* (Women's Institute) will verify compliance with the established milestones and ensure the appropriate use of funds. The institute will issue a final certification confirming that the projects met their objectives and that the allocated funds were used as intended. Law 31/2022 of 23 December provides the evidence for the direct granting of subsidies to the five third-sector entities that ensure the development of specific socio-labour insertion of women and girl victims of trafficking, sexual exploitation and women in contexts of prostitution.

To comply with the provisions contained within Royal Decree 634/2022 and Law 31/2022, and in order to guarantee the correct execution and management of the subsidies provided, a resolution was signed between the Ministry of Equality and the *Instituto de Las Mujeres* setting out the provisions as regards the management and control of the subsidies. Under the agreements, the *Instituto de las Mujeres* acts as a collaborating entity responsible for the management and control of the subsidies granted in years 2022 and 2023 to the five third-sector entities.

In turn, and as required by Article 15.2.a of Royal Decree 634/2022, of 26 July, the beneficiary entities have submitted an action report (*memoria justificativa*), detailing and justifying compliance with the subsidy conditions, including a description of the activities carried out and the results achieved. In this regard, for the years 2022 and 2023, the five entities - *Médicos del Mundo; Mujeres en Zona de Conflicto; Obra Social de Adoratrices en España (Fundación de Solidaridad Amaranta y la Congregación Religiosa de Adoratrices); Fundación Cruz Blanca; and la Asociación para la Prevención, Reinserción y Atención a la Mujer Prostituida (APRAMP)* - have provided these action reports.

These organisations operate across different regions of Spain, sometimes in the same areas, ensuring that services are available nationwide. In addition, the first programme (Programme for the Recovery and

Strengthening of the Social and Labour capacities of Women Victims of Trafficking, Sexual Exploitation or in a situation of Prostitution), has the objective to facilitate the social and labour integration of women who have been victims of human trafficking, sexual exploitation, or who are in prostitution. Activities organised under this programme include vocational training and skills development to enhance employability, job placement support, including access to job opportunities and workplace integration, legal and administrative guidance to help with labour rights and work permits, and collaborating with businesses and employment agencies to create hiring opportunities.

The second programme (Social and Psychological Support Programme for the Comprehensive Recovery of the Physical, Psychological and Reproductive Health of Women Victims of Trafficking, Sexual Exploitation or Prostitution) has the objective to provide comprehensive healthcare and psychological recovery for women affected by trafficking, sexual exploitation, or prostitution. Activities organised include medical and reproductive health services, including sexual health support, psychological and emotional support, addressing trauma and PTSD, access to legal and social assistance for protection and regularisation, and to provide support groups and individual therapy sessions.

Finally, the third programme (Social and Psychological support Programme for the Comprehensive Recovery of Child Protection System for girls and Adolescent Victims of Sexual Exploitation) has the objective to provide specialised care for minors who have been victims of sexual exploitation, ensuring their emotional, psychological and social reintegration. Activities under this programme include tailored psychological care and trauma recovery for minors, coordination with child protection services to ensure safe environments, legal assistance to ensure their rights are protected and education and vocational support to rebuild their future. In sum, each entity effectively implemented its programmes, ensuring victim support through psychological, legal, and health services, job training and socio-labour integration for economic independence, and stronger institutional coordination for victim protection.

Furthermore, and as required by Article 15.3 of Royal Decree 634/2022, of 26 July, the Women's Institute (*Instituto de las Mujeres*) issued a final certificate accrediting the finalisation of each of the three programmes carried out by the five entities, and therefore verifying the compliance with the milestones and objectives, and the application of the funds to the purpose that they were awarded. In particular, these documents confirm that the entities have submitted justification documentation of the subsidies they received, verify that the projects meet the goals and milestones in the grant agreement and certify that the fund were used for their intended purposes. The entities receiving the certification are the same five entities as previously mentioned rolling out the three programmes.

4. **Commission Preliminary Assessment**

Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C23]-I[I5]-T[348], Training actions for PES staff

Related Measure: ES-C[23]-I[I5], Governance and boost of policies to support activation

Qualitative Indicator: Million EUR

Time: Q4 2023

1. Context:

The objective of this investment is to strengthen public employment services and to improve the efficiency of active labour market policies.

Target 348 concerns the completion of at least 42 000 training actions for staff of the public employment services with the aim of upgrading their skills and provide more effective support to jobseekers. The training is to be organised in modules of 30 hours of average duration and on average each employee will shall take part in a module per year during the period 2021 – 2023.

Target 348 is the first step of the implementation of investment C23.I5 (Governance and boost of policies to support activation). This target is followed by target 347 (concerning the creation of a network of at least 20 public centres of orientation, entrepreneurship, and innovation for employment). The investment has a final expected date for implementation on 31 December 2024.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. An annex spreadsheet at national level with the following information for training actions delivered by the State Public Employment Service of the Ministry of Labour and Social Economy: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_SEPE_Spreadsheet_Final_20250320_OIP_VG5K3UQYNKVASAXVW9HQ3OE6K6F9.xlsx].

iii. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Andalucía: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_ANDALUCIA_Spreadsheet_Final_20250320_OIP_QD5L6NHIO5XIER6FE9HQ3OC2BU.xlsx.

iv. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Aragón: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_ARAGON_Spreadsheet_Final_20250320_OIP_HY6CXHYIM6NIIIHLO9HQ3ODQBL3N.xlsx].

v. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Asturias: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_ASTURIAS_Spreadsheet_Final_20250320_OIP_37AV5TDGXAWD3YRB49HQ3ODSBMVY.xlsx].

vi. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Cantabria: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_CANTABRIA_Spreadsheet_Final_20250320_OIP_AZ4IWAWNT6U3YTAKG9HQ3ODT3J79.xlsx].

vii. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Castilla-La-Mancha: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled
[Anexo_0_348O_C23_I5_MITES_CLMANCHA_Spreadsheet_Final_20250320_OIP_SUPOXBCLSEQHQVPVS9HQ3OD23MF9.xlsx].

viii. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Castilla-Y-Leon: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled
[Anexo_0_348O_C23_I5_MITES_CASTILLA_Y_LEON_Spreadsheet_Final_20250320_OIP_MBXLTKRUFXW45ITZE9HQ3ODVMYO9.xlsx].

ix. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Cataluña: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_CATALUNA_Spreadsheet_Final_20250320_OIP_TMIERUPFWWXJAGEWN9HQ3ODZN5S9.xlsx].

x. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Extremadura: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_EXTREMADURA_Spreadsheet_Final_20250320_OIP_I7DE627BVSFGIN6N49HQ3OD5BUQ5.xlsx].

xi. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Galicia: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_GALICIA_Spreadsheet_Final_20250320_OIP_DMZWL6OCM7BYSQUEI9HQ3OEQBBAU.xlsx].

xii. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of the Balearic Islands: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates

enrolled
[Anexo_0_348O_C23_I5_MITES_ILLES_BALEARS_Spreadsheet_Final_20250320_OIP_QBFHLUSWDEF32ATJR9HQ3OETHUE9.xlsx].

xiii. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of La Rioja: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_LA_RIOJA_Spreadsheet_Final_20250320_OIP_DNZ4Q4EXQST7NVXM49HQ3OEABZZ6.xlsx].

xiv. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Madrid: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_MADRID_Spreadsheet_Final_20250320_OIP_YI7WGCVKJLTNU7L4Q9HQ3OECBRNQ.xlsx].

xv. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Murcia: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_MURCIA_Spreadsheet_Final_20250320_OIP_24SCQ4CCJV33HFWBY9HQ3OED7IN9.xlsx].

xvi. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Navarra: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_NAVARRA_Spreadsheet_Final_20250320_OIP_SGS3SDMH5RM2XBUWH9HQ3OE2D279.xlsx].

xvii. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of Valencia: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled [Anexo_0_348O_C23_I5_MITES_VALENCIA_Spreadsheet_Final_20250320_OIP_OLP5WZ4LMB7S5RE369HQ3OFCBMW3.xlsx].

xviii. An annex spreadsheet with the following information for training actions delivered by the Autonomous Community of the Basque Country: name of the training actions completed every year, with details of its content, duration and objectives, and unique identifier of the candidates enrolled
[Anexo_0_348O_C23_I5_MITES_PAIS_VASCO_Spreadsheet_Final_20250320_OIP_OYBAILFOAWRCMZL439HQ3OE4G569.xlsx].

xix. Link to the website of the Public State Employment Service (SEPE) with the published Continuing Education Plan for the staff of the National Employment System (2021-2023), as well as the annual training references for 2021, 2022 and 2023.

xx. An official certificate proving that the candidate included in the sample unit has completed the training.

3. Analysis:

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

At least 42 000 training actions for PES staff have been completed with the aim of upgrading their skills and provide more effective support to jobseekers.

The Public State Employment Service (SEPE) published a three-year training plan for the staff of the National Employment System, which includes general approaches, objectives and lines of action, as well as the corresponding annual plans with the training actions envisaged for each year (see item xix. referred to in the section "evidence provided"). The aforementioned evidence shows that a set of continuing training actions are envisaged for the employees of PES focused in 16 training areas, which include both specialised training and cross-cutting training with the aim of upgrading their skills and provide more effective support to jobseekers. The unique identifier of each training module included in the submitted spreadsheets can be linked to the annual training references published by the Public State Employment Service (SEPE), which includes details of its content, duration and objectives. The aforementioned evidence shows that a set of continuing training actions are envisaged for the employees of PES focused in 16 training areas, which include both specialised training and cross-cutting training with the aim of upgrading their skills and provide more effective support to jobseekers. The structure and content of the training, such as modules on personalised guidance, labour market prospecting, digital tools, and employer engagement, are well aligned with the evolving needs of public employment services and contribute to strengthening their capacity to deliver personalised and results-oriented support. The evidence provided confirmed that the training actions included in the Continuing Education Plan for the staff of the National Employment System (2021-2023) and in the annual training references for 2021, 2022 and 2023 (see item xix. referred to in the section "evidence provided") contribute directly to the aim of enhancing staff competencies and improving service delivery, thereby fulfilling the intended objective of the measure.

From the universe of 53 040 total training actions delivered for PES staff, 52 820 are reported as completed through the delivery of a unique training action. These training actions are identified in the spreadsheets in the row "Course details 1 - Training program identifier "(*Datos del curso 1 - Identificador Programa Formativo*) and the number of hours of each training module is included in the row "Course data 1 - Duration (in hours)" (*Datos del curso 1 - Duración (en horas)).*

Additionally, from the universe of 53 040 total training actions delivered for PES staff, 220 are marked as completed over the year through a training pathway. For such cases, the training action was delivered through the combination of two individual trainings, identified in the spreadsheets included as verification mechanisms in the rows "Course details 1 - Training program identifier " (*Datos del curso 1 - Identificador Programa Formativo*) and "Course details 2 - Training program identifier " (*Datos del curso 2 - Identificador Programa Formativo*).

Furthermore, in line with the description of the measure**, the training is to be organised in modules of 30 hours of average duration and on average each employee shall take part in a training action per year during the period 2021-2023.**

The number of hours of each training module is included in the rows “Course data 1 - Duration (in hours)” (*Datos del curso 1 - Duración (en horas))* and “Course data 2 - Duration (in hours)” (*Datos del curso 2 - Duración (en horas))* of the spreadsheets submitted by Spain (see items ii to xviii referred to in the section “evidence provided”.

The public employees completing the training action are identified in the excel by a unique identifier, either the Tax Identification Number (*Número de Identificación Fiscal (NIF)*) or the Foreign Identity Number (*Número de Identidad de Extranjero (NIE)*). This is reflected in the spreadsheets included as verification mechanisms in the row “*Datos del participante - NIF/NIE”.*

The evidence provided for a sample of 60 units confirmed that the requirements of the target have been met. For each training action included in the sampling exercise, Spain provided official certificates of achievement proving that the candidate included in the sample unit has completed the training through the completion of modules of 30 hours of average duration. The certificates identify public employees completing the training action by the NIF/NIE, the training action completed by a unique identifier which has been cross checked with the ones included in the relevant annual plan published by SEPE, as well as the duration of the training action completed. The evidence provided for a sample of 60 units confirmed that 53040 training actions have been completed by 17 667 unique PES staff over the period 2021-2023. This translates into a yearly average of 1 training action per employee during the relevant period. Furthermore, the duration of the trainings included in the certificates confirmed that training actions delivered (either through individual trainings or through a training path) had a minimum duration of 30 hours.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: ES-C[C24]-I[I1]-T[354] Target 354 - Strengthening the competitiveness of cultural industries

Related Measure: C24.I1 - Strengthening the competitiveness of cultural industries

Quantitative Indicator: Number

Baseline: 0

Target: 1216

Time: Q2 2023

1. Context:

The investment aims to address challenges with respect to the competitiveness of the cultural sector by improving the resilience of the cultural and creative industries' business fabric as well as contributing to their digital transition.

Target 354 concerns strengthening the competitiveness of cultural industries by providing 1216 entities and projects funding.

Target 354 is the first step of the implementation of investment C24.I1. It is followed by the last target of this investment, target 475, which sees the completion of the entities and projects receiving funding. The investment has a final expected date for implementation on 30 June 2026.

2. Evidence provided:

i. Summary document duly justifying how the target (including all the constitutive elements) has been satisfactorily fulfilled.
ii. A list of all the projects or actions including for each one: a) a unique identifier, name and a brief description; b) an official reference of the award resolution from the relevant regional or national authority; c) the name and unique identifier of entities that have received funding; and d) the type of project or action (Anexo_1_354O_C24_I1_MCULT_Spreadsheet_SP5.ext.xlsx).

In the context of the sampling analysis, additional evidence was provided for a sample of 67 units including for each unit:

iii. The relevant award resolution or other legal instrument (for instance a contract) proving that the project or action has been funded.

iv. An extract of the relevant specifications of the project providing alignment with the description of the target and investment in the CID Annex, including eligibility criteria, proving alignment with the CID.

v. An explanation issued by the relevant body of the public administration in line with national legislation or internal procedures assessing and certifying the number and type of projects or actions being funded, proving that the project belongs to one of the three categories listed in the description of the target and the 8 sub-requirements listed in the description of the measure.

3. Analysis:

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

Number of entities and projects awarded funding from the support scheme, for:
- competitiveness and professionalisation of the cultural and creative industries (CCIs) including strengthening of entrepreneurial and financial skills (at least 900 beneficiaries); entrepreneurial and financial skills of the professionals of the Cultural and Creative Industries (at least 900 beneficiaries);
- digitalisation planning implemented and tools created to discuss digital transformation (at least 16 projects);
- internationalisation of the Cultural and Creative Industries (at least 300 beneficiaries).

Spain has provided a list of 2687 projects/entities that were awarded funding or supported through contracts under the measure. The list includes:

- 1496 beneficiaries for projects on competitiveness and professionalisation of the cultural and creative industries (CCIs) including strengthening of entrepreneurial and financial skills;
- 19 projects aiming to ensure that digitalisation planning is implemented and tools are created to discuss digital transformation;
- 1172 beneficiaries for projects on the internationalisation of the Cultural and Creative Industries.

The Commission considers that there is a clerical error in the text of the Council Implementing Decision as regards the description of target 354 and has undertaken the assessment on a revised basis. In such description, it is mentioned “entrepreneurial and financial skills of the professionals of the Cultural and Creative Industries (at least 900 beneficiaries)”. However, this point is mentioned twice and hence it is already covered in the preceding point. Therefore, we consider the new proposed text as the correct one. Against this background, the justification and substantiating evidence provided by the Spain authorities cover all constitutive elements of the target.

The evidence provided for a sample of 67 units confirmed that 2687 projects/entities have been awarded funding from the support scheme for (i) competitiveness and professionalisation of the cultural and creative industries (CCIs) including strengthening of entrepreneurial and financial skills (at least 900 beneficiaries); entrepreneurial and financial skills of the professionals of the Cultural and Creative Industries (at least 900 beneficiaries); (ii) digitalisation planning implemented and tools created to discuss

digital transformation (at least 16 projects); (iii) internationalisation of the Cultural and Creative Industries (at least 300 beneficiaries).

Following the selection of a random sample of 67 units, Spain submitted copies of award resolutions or contracts to prove that the project or entity has been awarded funding from the support scheme (evidence mentioned in column K of the spreadsheet - annex 1). In addition, to prove alignment with the CID, Spain submitted the extracts of the relevant specifications of the projects (regulatory bases for the granting of aid, calls for projects or explanatory reports) providing alignment with the description of the target and investment in the CID Annex, including eligibility criteria (evidence mentioned in column L of the spreadsheet - annex 1). Furthermore, the copies of the award resolutions and contracts certify the number or actions being funded, while the extracts of the relevant specifications of the projects certify the type of projects or actions being funded, proving that the projects belong to one of the three possible categories listed in the description of the target and to one of the eight sub-requirements listed in the description of the measure.

A statistical analysis was carried out taking into account the overachievement of the target – 1216 projects were indicated in the Council Implementing Decision while Spain provided 2687 projects. Based on this, there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled.

In line with the measure description, projects shall be in compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation.

In line with the description of the measure, **in order to ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the eligibility criteria contained in terms of reference for upcoming calls for projects shall exclude the following list of activities: (i) activities related to fossil fuels, including downstream use; (ii) activities 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, incinerators200 and mechanical biological treatment plants; and (iv) activities where the long-term disposal of waste may cause harm to the environment. The terms of reference shall additionally require that only activities that comply with relevant EU and national environmental legislation may be selected.**

The analysis of the evidence mentioned above and the nature of the cultural projects supported provided by Spain confirmed that none of the projects selected under the regulatory bases for the granting of aid/calls for projects under target 354 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.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C24]-I[I2]-T[357], E-book licences for libraries

Related Measure: ES-C[24]-I[I2], Boosting culture across the territory

Quantitative indicator: number

Baseline: 0

Target: 300 000

Time: Q2 2023

1. Context

The investment aims to improve territorial and social cohesion by facilitating access to culture as well as to support the sustainability and the consolidation of the cultural sector across the territory.

Target 357 concerns the purchase and provision of at least 300, 000 e-book licences to public libraries.

Target 357 is the first step of the implementation of investment C24.I12.". The implementation of target 357 will be followed by the following targets: target 355 focused on the modernisation and sustainable management of performing and musical arts infrastructure, target 359 focused on boosting cultural and creative initiatives, target 358 which focuses on the purchase of books for libraries ,target 356 which focuses on the conservation, restoration and enhancement of the Spanish cultural heritage and ends with the implementation of target 474 which focused on the cultural site of Tabacalera in Madrid). The investment has a final expected date for implementation on 30 June 2026.

Milestone 118 is the first milestone for this investment. Subsequent targets regards the completion of 600 projects to support the energy transition on the islands (T119) and the installation of 180 MW of additional renewable production capacity (T120).

2. Evidence provided

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Spreadsheet containing the total list of books for the 8 lots per autonomous communities [Anexo_1_357O_C24_I2_MCULT_Spreadsheet_SP6.ext]

iii. Document signed by the company Odilo certifying that the 88.917 Catalan licences have been purchased and provided [Anexo_6_357O_C24_I2_MCULT_Certificado Odilo Cataluña]

iv. Continuation of document iii listing the total number of licencses purchased and provided in Catalonia [Anexo_7_3570_C24_I2_MCULT_Anexo Certificado Odilo Cataluña]

v. Document signed by the company "Distribuidora Digital de Libros Sau" certifying that the total 266 907 licencses in the rest of Spain (save Catalonia and the Basque Country) have been purchased and provided through the platform Ebliblio [Anexo_4_357O_C24_I2_MCULT_Certificado_eBiblio_5SP.ext]

vi. Document signed by the government of the Basque Country certifying that 1071 licences were purchased and provided [Anexo_5_3570_C24_I2_MCULT_Certificado Pais Vasco]

vii. Document signed by Distribuidora Digital de Libros S.A.U. and the Ministry of Culture and Sports 15 September 2022 confirming the delivery of the three lots [Anexo_2.1_357O_C24_I2_MCULT_Acta_LOTE1_SP6 *'actas de recepción'* lote 1, lote 8 and lote 6]

3. Analysis

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

E-book licences purchased and provided to public libraries (at least 300 000)

A total of 356.895 e-book licences have been acquired and provided to public libraries. The e-book licences have been purchased and provided by three e-libraries platforms: i) Odilo SL, ii) Distribuidora Digital de Libros S.A.U and iii) on 15 September 2022 (evidence ii) - which then uploaded them to the corresponding public library platforms namely:

- For the Autonomous Community of Catalonia, 88.917 licences were purchased and provided. The company Odilo has certified that it has provided 88.917 licences (item 3) (point iii and iv of the evidence provided);
- For the Basque Country, 1071 licences were purchased and provided (point v of the evidence provided) in the eLiburutegia platform.
- For the rest of Spain, 266 907 licences were purchased and provided (point xiv and xv of the evidence provided. The company Digital Distribuidora SAU has certified that it has provided 266 907 licences (point v of the evidence provided).

The specific actions under this investment are grouped into the following four project categories: […] c) The endowment of libraries, by: (i) the purchase of licenses for digital books […]

- As explained above, the Directorate-General of Books, Comics and Reading acquired a total of 356.895 e-licences for lending through the electronic libraries of the different autonomous communities, with the aim of increasing the digital content of libraries available to citizens (point ii of the evidence provided).

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C24]-I[I3]-T[361], Completion of digitalisation and promotion of major cultural services

Related Measure: ES-C[24]-I[I3], Digitisation and promotion of major cultural services

Quantitative indicator: number

Baseline: 0

Target: 200

Time: Q2 2023

1. Context

The measure aims to digitalise as well as to support major cultural establishments, libraries from the national administrations or private entities, archive systems, records of historical heritage, and the National Institute for Scenic Arts and of Music (INAEM, "Instituto Nacional de las Artes Escénicas y de la Música").

Target 361 concerns the completion of digitalisation and promotion of major cultural services. Target 361 requires the completion of at least 200 projects to: (i) boost and digitalise the National Prado Museum and the Reina Sofia Museum; (ii) increase the annual users of the digital collection of the Spanish National Library; (iii) digitise the Bibliographic heritage and render interoperable all types of public archival systems and expand the data storage capacity of the Spanish historical heritage inventory and archival systems; (iv) complete an integrated system for the digitalisation and cataloguing of INAEM's resources, assets, structures and infrastructure.

Target 361 is the second step of the implementation of investment C24.I3. It follows the completion of target 360, related to the digitalisation and promotion of major cultural services. It is followed by target 362, related to completion of digitalisation of the bibliographic heritage. The investment has a final expected date for implementation on 30 June 2023.

2. Evidence provided

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of the target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.

ii. Spreadsheet containing the following information: a list of all projects including for each one: i) a unique identifier, name and a brief description of the project; ii) a reference to the certificate of

completion (*Acta de recepción* or *Certificado de veracidad*) or to the invoice to prove that the project was completed; and iii) where relevant, the beneficiaries concerned.

In the context of the sampling analysis, additional evidence was provided for a sample of 61 units including:

- For projects completed through contracts:

iii. The certificate of completion (*Acta de recepción*) signed by the contracting authority and the contractor, issued in line with national legislation; or the invoices issued by the contractor after the completion of works with the certificate of completion or certificate of conformity (*Acta de recepción, Informe de Conformidad, Certificado de Conformidad*, *Certificado de Correcta Ejecuccion, Acta final de Entrega, etc.*) issued by the contracting authority in line with national legislation.

- For projects completed through subventions:

iv. The certificate of completion (*Certificado de veracidad),* the activity report (*Memoria de actuación)* which summarizes the actions and activities carried out for the project, and the financial report (*Memoria económica*) detailing the expenses of the project, issued by the entity that received the subvention in line with national legislation.

v. The invoices issued by the contractor for projects related to equipment or software upgrade or purchase; recordings or other supporting evidence (such as trainer invoices, articles, or social media posts) for projects related to trainings; and virtual on-the-spot-checks conducted by the Commission for projects related to the digitalisation, description or restauration of documents.

- For all 61 units:

vi. An extract of the relevant specifications of the projects providing alignment with the description of the target and investment in the CID Annex.

3. Analysis

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

Completion of at least 200 projects, in compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation, to:

- Boost and digitalise the National Prado Museum and the Reina Sofia Museum;

- Actions to increase the annual users of the digital collection of the Spanish National Library;

- Digital access to the Bibliographic heritage and interoperability of all types of public archival systems and expansion of the data storage capacity of the Spanish historical heritage inventory and archival systems;

- Completion of an integrated system for the digitalisation and cataloguing of INAEM's resources, assets, structures and infrastructure.

Spain has provided a list of 330 projects that were completed under the measure. The list includes:

- 48 projects to boost and digitalise the National Prado Museum and the Reina Sofia Museum;
- 9 actions to increase the annual users of the digital collection of the Spanish National Library;
- 261 projects to digitise the Bibliographic heritage and render interoperable all types of public archival systems and expand the data storage capacity of the Spanish historical heritage inventory and archival systems;
- 12 projects to complete an integrated system for the digitalisation and cataloguing of INAEM's resources, assets, structures and infrastructure.

Following the selection of a random sample of 61 units Spain submitted:

For projects completed through contracts (40 units), either:

- Copies of the certificates of completion (*Actas de recepción*) signed by the contracting authority and the contractor, certifying that the projects were completed. *Actas de recepción* are issued after the completion of works according to Article 210 (1) and (2) of Law 9/2017 of 8 November on Public Sector Contracts, transposing Directives 2014/23/EU and 2014/24/EU of the European Parliament and of the Council of 26 February 2014 into Spanish law, hereinafter referred to as the "Law on Public Sector Contracts" (*Ley 9/2017, de 8 de noviembre, de Contratos del Sector Público, por la que se transponen al ordenamiento jurídico español las Directivas del Parlamento Europeo y del Consejo 2014/23/UE y 2014/24/UE, de 26 de febrero de 2014)*. When signed by both parties, the *Acta de recepción* confirms the agreement between the contractor and the contracting authority that the project has been completed in accordance with the contract.

- Or a copy of the certificate of completion or certificate of conformity (*Acta de recepción, Informe de Conformidad, Certificado de Conformidad*, *Certificado de Correcta Ejecuccion, Acta final de Entrega, etc.*) issued by the contracting authority, complemented by copies of the invoices issued by the contractors. The certificates of completion or conformity, issued in line with Article 210 (1) and (2) of the Law on Public Sector Contracts, constitutes the contracting authority's acknowledgment that the goods or services described in the invoice have been delivered or performed in accordance with the contract, and that the project was completed.

For projects completed through subventions (21 units) Spain submitted:

- Copies of the certificates of completion (*Certificados de veracidad),* copies of the activity report (*Memorias de actuación)* which summarises the actions and activities carried out for the project, and copies of the financial reports (*Memorias económicas*) detailing the expenses of the project, issued by the entities that received the subventions (hereinafter referred to as the "beneficiaries"). These are official documents produced in the ordinary course of business according to national legislation, as the beneficiaries are legally required to issue these documents after the completion of projects according to Article 40 of the 2022 and 2023 calls for public grants for the description and digitisation of archives containing documentary heritage over forty years old, held by political, trade union or religious entities and associations, public universities, and cultural, educational, or foundation-based organisations (*Convocatorias de ayudas públicas para la descripción y*

digitalización de archivos con patrimonio documental con una antigüedad superior a los cuarenta años de entidades, asociaciones de carácter político, sindical o religioso, universidades públicas y de entidades, fundaciones, asociaciones culturales y educativas).

- Copies of the invoices issued by the contractor for projects related to equipment or software upgrade or purchase (9 units). The invoices match the information contained in the financial reports. The invoices issued by the contractor and the certificate of completion issued by the beneficiary confirm that the goods or services have been delivered or performed in accordance with the contract, and that the project was completed.

- Recordings or other supporting evidence (such as trainer invoices, articles, or social media posts) that confirm the training activity took place (3 units).

- The Commission services conducted a virtual on-the-spot check on 26 June 2025 to verify the digitalisation, description or restauration of documents of 9 units. This check was completed successfully, confirming that the projects matched the actions described in the activity report and that the projects were completed.

In addition, to prove that the projects belong to one of the four possible categories listed in the target, Spain submitted extracts of the relevant specifications of the projects (included, depending on the project, in the justification report (*memoria justificativa*), the contract, the resolution, the administrative specifications, the regulatory bases, *etc.*). The evidence provided for a sample of 61 units confirmed that the requirements of the target have been met and that the four categories of projects are covered.

The evidence provided for a sample of 61 units confirmed that 330 projects have been completed to (i) boost and digitalise the National Prado Museum and the Reina Sofia Museum; (ii) increase the annual users of the digital collection of the Spanish National Library; (iii) digitise the Bibliographic heritage and render interoperable all types of public archival systems and expand the data storage capacity of the Spanish historical heritage inventory and archival systems; (iv) complete an integrated system for the digitalisation and cataloguing of INAEM's resources, assets, structures and infrastructure, thus exceeding the goal of target 361 by 130 projects.

The analysis of the evidence provided by Spain confirmed that none of the projects selected under the calls for projects/interest under target 361 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 target 360 of the third Spanish payment request, this additional check confirms that the selected projects comply with the necessary provisions of the Council Implementing Decision.

A statistical analysis was carried out taking into account the overachievement of the target of 330 projects for a required 200 projects. Based on this, there is statistical assurance that the target has been met, and all its constitutive elements have been satisfactorily fulfilled.

The requirements included in the measure description and also related to target 361 were positively assessed during the preliminary assessment of the third Spanish payment request in particular under the assessment of the interlinked target 360.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Target: Target 362 - ES-C[C24]-I[I3]-T[362] Completion of digitalisation of the Bibliographic heritage

Related Measure: C24.I3 - Completion of digitalisation and promotion of major cultural services

Quantitative Indicator: Number

Baseline: 10

Target: 12

Time: Q2 2023

1. Context:

The measure aims to digitalise as well as to support major cultural establishments, libraries from the national administrations or private entities, archive systems, records of historical heritage, and the National Institute for Scenic Arts and of Music (INAEM, "Instituto Nacional de las Artes Escénicas y de la Música").

Target 362 requires the digitalisation of the Bibliographic heritage from public and private collections for a total of 12 million pages of heritage collections digitised, with a baseline of 10 million pages.

Target 362 is the last step of the implementation of investment C24.I3. It follows the completion of target 360, related to the digitalisation and promotion of major cultural services. It is accompanied by target 361 in this payment request, related to the completion of digitalisation and promotion of major cultural services. The investment has a final expected date for implementation on 30 June 2023.

2. Evidence provided:

i. Summary document duly justifying how the target (including the relevant elements of the target, as listed in the description of target and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled.
ii. Link to the explanatory report for the procurement of services for the digitalisation of bibliographic and audiovisual materials held in various Spanish institutions: Convenio de colaboracion entre el ministerio de cultura y la administracion general de la comunidad autonomia del Pais Vasco para la realizacion del catalogo colectivo del patrimonio bibliográfico

Link:https://contrataciondelestado.es/FileSystem/servlet/GetDocumentByIdServlet?DocumentIdParam=E1mIt9YnVPxcBnbPkdgQTrRu6QE3p8oy6cV8/mwjeW%2BFutwZjK7P48sgnoDNXCQk0mAyfcNth/hOQriCMD2iMen/Z31K6hDFhPilF989XRA%3D&cifrado=QUC1GjXXSiLkydRHJBmbpw%3D%3D

iii. Lot 1 - Anexo_1_362O_C24_I3_MCULT_ACTA_RECEPCIÓN_LOTE1_SP5.ext – acta de reconocimiento de recepcion de Lote 1 signed 5 June 2023 between the Ministry of Culture and Sports and the company VINFRA S.A.

iv. Lot 2 - Anexo_2_362O_C24_I3_MCULT_ACTA_RECEPCIÓN_LOTE2_SP5.ext – acta de reconocimiento de la recepción of Lote 2 signed 5 June 2023 between the Ministry of Culture and Spain and the company VINFRA S.A.

v. Lot 5 - Anexo_3_362O_C24_I3_MCULT_ACTA_RECEPCIÓN_LOTE5_SP5.ext – acta de reconocimiento de recepción of Lote 3 signed 26 December 2023 between the Ministry of Culture and Spain and the company LIBNOVA S.L.

3. Analysis:

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

Digitalisation of the Bibliographic heritage (public and private collections) (a total of 12 million pages of heritage collections digitised)

Section 3 on page 3 of the explanatory report for the procurement of services for the digitalisation of bibliographic and audiovisual materials held in various Spanish institutions (point ii of the evidence provided) stipulates that the purpose of the technical specifications included in the report is to contract services for the digitisation of collections of manuscripts and printed monographs, historical press, and videos and sound recordings kept in various Spanish institutions forming part of the bibliographic heritage of Spain. Section 4 on page 3 of the explanatory report provides that the contract was divided into several lots.

The digitalisation lots have been officially 'received' and the digitalisation achieved as evidenced by the *'actas de recepción'* signed by the Subdirectorate General of Library Coordination of the Ministry of Culture and Sport, by the relevant company in charge of the digitalisation process, and by the Controller General of the State Administration fulfilling the requirements of Article 28, paragraph 4, of Royal Decree 2188/95 of December 28, which establishes the internal control regime overseen by the General Intervention of the State Administration, as amended by Royal Decree 817/2009 of May 8, and Article 210, paragraph 2 of Law 9/2017 of November 8, on Public Sector Contracts, and thus formally recognising the reception of the lots.

- The first lot (point iii of the evidence provided, paragraph 2) provides that 1 032 571 pages of heritage collections were digitised. The digitised collections were kept within the State public library in Palma de Mallorca (point ii of the evidence provided, section 4, page 4).
- The second lot provides that an additional 1 097 849 (evidence iv) pages of heritage collections were digitised. The digitised collections were kept within the Madrid municipal library, the State

public library in Zaragoza, the State public library in Cáceres, and the El Adelantado Editorial (point iv of the evidence provided, paragraph 2).

- The fifth lot (point v of the evidence provided, paragraph 2) provides that an additional 1 244 194 pages of heritage collections were digitised. The digitised collections were kept within the Madrid municipal library, the State public libraries in Guadalajara and Valladolid, the State museums in Madrid and the Promecal Editorial (annex 1 to point v of the evidence provided).

In line with the description of the target, the Annexes containing the lots contain both examples of private and public collections such as the private publishers "El Adelantado Editorial" (point iv) of the evidence provided, paragraph 2) and Promecal Editorial (point v) of the evidence provided, annex 1) and the numerous State public libraries (Palma de Mallorca in point ii) of the evidence provided and Caceres in point iv) of the evidence provided).

Therefore, 3 374 614 pages of heritage collections were digitised through these lots, reaching a cumulated number of pages digitised of 13 374 614 million pages, above the required 12 million target in the Council Implementing Decision.

The requirements included in the measure description and also related to target 362 were positively assessed during the preliminary assessment of the third Spanish payment request in particular under the assessment of the interlinked target 360.

4. Commission Preliminary Assessment: Satisfactory fulfilled

Number and name of the Milestone: ES-C[C27]-R[R3]-M[382], Delivery of four Digital Support Platforms

Related Measure: ES-C[27]-R[R3], Enhanced assistance to taxpayers

Qualitative Indicator: Publication of a report of the Tax Agency

Time: Q4 2023

1. Context:

The objective of this measure is to improve the services provided to taxpayers through the increase use of electronic platforms (so-called ADI, Administración Digital Integral) thereby increasing tax compliance and tax revenues. The new electronic services outlined by the reform will facilitate the processing of corporate tax, personal income tax and VAT and will include enhanced methods of communication, help desk services and consultation of users' data and tax declarations and assistance in relation to tax returns.

Milestone 382 requires Spain to put in place and make operational four digital service platforms (ADIs). These ADIs aim at enhancing services to taxpayers as they are expected to offer remote information and assistance services through telephone and chat functions among others.

Milestone 382 is the last milestone of the measure. It follows the implementation of targets 380 and 381 which concerned the upgrade of Sociedades WEB and Renta WEB services to taxpayers assessed in the context of the second payment request of Spain.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled; and

ii. Report by the Tax Agency on the ADI project ("Informe sobre el proyecto de la administracion digital integral (ADI)").

iii. Decision of 13 January 2021 of the President of the State Agency for Tax Administration establishing the structure and territorial organisation of the State Tax Administration Agency as published in the Official Journal on 14 January 2021 as BOE 2021 – 519;

iv. Decision of 2 February 2021 of the President of the State Agency for Tax Administration, correcting errors in the Decision of 13 January 2021 establishing the structure and territorial organisation of the State Agency for Tax Administration as published in the Official Journal on 6 February 2021 as BOE 2021 – 1725;

v. Decision of 25 February 2021 of the President of the State Agency for Tax Administration amending the Decision of 13 January 2021 establishing the territorial structure and organisation of the State Agency for Tax Administration and establishing the Central Unit for External Analysis and Dissemination as published in the Official Journal on 3 March 2021 as BOE 2021 – 3306;

vi. Decision of 7 April 2022 of the President of the State Agency for Tax Administration amending the Decision of 13 January 2021 establishing the territorial structure and organisation of the State Agency for Tax Administration as published in the Official Journal on 14 April 2022 as BOE 2022 – 6118;

vii. Decision of 22 May 2023 of the President of the State Agency for Tax Administration amending the Decision of 13 January 2021 establishing the territorial structure and organisation of the State Agency for Tax Administration as published in the Official Journal on 1 June 2023 as BOE 2023 – 12913;

viii. Summary of human resources working at ADIs (Datos RPT Adis Recursos humanos Resumen.xlsx);

ix. Summary of ADI activities on 7 November 2024 (Data broken down by IDAs November 7th, 2024.xlsx);

x. Set of screenshots related to information services in ADI environment;

xi. Set of screenshots related to assistance services in ADI environment;

xii. Set of screenshots related to assistance services related to census data in ADI environment;

xiii. Set of screenshots related to information services in English in ADI environment; and

xiv. Two examples of assistance service via the Informa+ messaging service related to VAT for lessors and VAT at the start of economic activity.

3. Analysis:

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

The Tax Agency shall put in place and make operational four Tax Digital Support Platforms (DSPs).

Spain has demonstrated that the president of the State Agency for Tax Administration has taken necessary decisions to put in place four administrative units, ADIs (in Spanish "*Administracion Digital Integral*") which in line with the measure description are considered to be electronic platforms or DSPs (evidence iii-vii). The decisions show that the ADIs were established over three years 2021-2023 in four different locations (Valencia, Vigo, Madrid-Getafe and Granada).

Section V of the decision of 13 January 2021 (evidence iii, complemented later by certain corrections shown in evidence iv) specifically concern the ADIs which are established as platforms for providing information and assistance services by electronic means, using non-face-to-face communication channels such as telephone calls, chat and written messages. Annex III of the decision of 13 January 2021 provides that the first ADI is established in Valencia. The subsequent decisions (evidence v-vii) contain provisions that amend Annex III to the decision of 13 January 2021 adding three other locations (Vigo, Madrid-Getafe and Granada) to the list of ADIs. According to Section A of the report (evidence ii), the staff members of the ADIs are specialised in different areas of taxation and each staff member responds to taxpayers' questions related their specific field of expertise. Additionally, the authorities submitted evidence that each four ADIs have human resources allocated to them to perform the tasks of the ADIs (evidence viii).

The DSPs shall act as virtual online counters which provide taxpayers with a wider assistance service enabling them to get in touch with the Tax Agency in different languages with a view to carry out online support procedures which shall include: (1) information services related to i) census information; ii) VAT; iii) personal income tax, and (2) assistance services related to: i) census declarations; and ii) quarterly VAT self-assessments for lessors and VAT returns for taxable persons commencing their activity.

According to Section D(a) of the Tax Agency's report (evidence ii), the ADIs offer information services related to census information, value added tax and personal income tax. Furthermore, Section D(b) explains that the taxpayers are offered assistance services related to census declarations, quarterly VAT self-assessments for lessors and VAT returns for taxpayers starting their activity. These services belong to what the report calls "tax management area". According to Section F of the report, in 2023, all four ADIs were active in the tax management area offering services to taxpayers through telephone calls upon appointment, chat and the Informa+ messages. The authorities submitted additional numerical evidence that each four ADIs are offering these services on a selected date (evidence ix).

The authorities also submitted screenshots from the ADI environment which justify the availability of the services in line with the milestone description (evidence x-xii):

- Regarding information services related to census information, the screenshots demonstrate how the taxpayer can make a phone call appointment to ask for information related to census information.

- Regarding information service related to VAT, the screenshots demonstrate how the taxpayer can make a phone call appointment to ask for information related to VAT.
- Regarding information service related to personal income tax, the screenshots demonstrate i) how the taxpayer can seek for assistance related to personal income tax first through a virtual assistant and if necessary, and ii) how the taxpayer can also access the chat function of the ADI to ask further information directly from the ADI expert.
- Regarding assistance services related to census declarations (forms 030, 036), the screenshots show how the taxpayer can get in touch with an ADI expert via chat to get assistance when filling the form.
- Regarding assistance services related to quarterly VAT self-assessments for lessors and VAT returns for taxable persons commencing their activity, the screenshots demonstrate how the taxpayer can seek for assistance first through a virtual assistant and if necessary, the taxpayer can send a question through the Informa+ message service. The authorities submitted two anonymised examples of Informa+ exchanges showing that the VAT assistance services are helping the taxpayers to make their declarations covering quarterly VAT self-assessments for lessors and VAT returns for taxable persons commencing their activity (evidence xiv).

The screenshots demonstrate the necessary steps a taxpayer needs to take on the website of the Tax Agency to get in touch with the Tax Agency when they need more information or assistance (identification, selection of topic of the request, means of interaction, and where relevant, confirmation of the appointment).

According to the Section A of the Tax Agency's report, the services are provided in different languages: in Spanish, in the Galician, Catalan and Valencian, and in English. One set of screenshots demonstrate that the taxpayer can choose to interact with the tax expert in English (evidence xiii).

The Commission services conducted an on-the-spot check on 6 February 2025 to verify the pieces of evidence viii-xiv, i.e. the human resources, activities of ADIs and the availability of five different services as required by the milestone description. This check was completed successfully, confirming that the Tax Agency has put in place and made operational four digital service platforms (ADIs) and that these provide taxpayers with a wider assistance service enabling them to get in touch with the Tax Agency in different languages with a view to carry out online support procedures including: (1) information services related to i) census information; ii) VAT; iii) personal income tax, and (2) assistance services related to: i) census declarations; and ii) quarterly VAT self-assessments for lessors and VAT returns for taxable persons commencing their activity.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C29]-R[R1]-M[402], Phase III of the spending review

Related Measure: ES-C[29]-R[R1], Public spending review and evaluation process

Qualitative Indicator: Publication of the reports in AIReF webpage

Time: Q4 2022

1. Context:

The measure aims to support the formation of a permanent framework that ensures improvements in the quality of public spending, strengthens the fiscal stability and the sustainability of general government finances. It consists of four elements: i) the incorporation into the decision-making process of the recommendations of the spending review 2018-2020 (phase I and phase II); the launching of phase III of the spending review 2021; iii) a new public spending review and evaluation process (for 2022-2026); and iv) the strengthening the capacity of the evaluator (AIReF).

Milestone 402 concerns the part of reform that requires Spain to publish the reports of the third phase of the spending review.

Milestone 402 is the final milestone or target of this reform. It directly follows milestone 398 which initiated the work on the two reports on (one on financial instruments and the other on municipal waste management) of the third phase of spending review 2021. Other milestones of this reform that have been part of earlier payment request are: i) milestones 397 and 399 related to the regulatory changes to improve the framework for spending reviews concerning the Ministry of Finance and AIReF; ii) milestone 400 capturing the Government's decision on the multiannual cycle of spending reviews 2022-2026, and iii) milestone 401 related to the publication of the monitoring report on the implementation of AIReF's recommendations to improve the quality of public spending.

Following the completion of this milestone, in line with the description of the measure in the Council Implementing Decision, Spain aims to publish a report annually until 2026. This is a further step of this reform that is not linked to the milestones and targets in the Council Implementing Decision.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the CID annex) was satisfactorily fulfilled.

ii. AIReF's spending review report on municipal waste management, published on 31 July 2023 on AIReF's website.

iii. Link to the report: https://www.airef.es/es/estudios/estudio-gestion-de-residuos-municipales/

iv. AIReF's spending review report on public sector financial instruments to support productive sectors of the Spanish economy, published on 31 July 2023 on AIReF's website.

v. Link to the report: https://www.airef.es/es/estudios/estudio-instrumentos-financieros-del-sector-publico-para-el-apoyo-a-sectores-productivos-de-la-economia-espanola/

3. Analysis:

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

Publication of the reports of the third phase of the spending review by AIReF.

The authorities have submitted evidence showing that the independent evaluator, AIReF, published the reports under the third phase of the spending review 2021. In particular, the authorities have submitted copies of the two reports as well as links to AIReF's website where the reports are available to the public (evidence ii-v). The reports present the analysis on municipal waste management and public sector financial instruments to support the productive sectors of the Spanish economy. The publication of the reports contributes to the objectives of the reform as both reports make recommendations for improvements (section 3 of the report on municipal waste management and section 6 of the report on financial instruments) in the quality of public spending, thereby strengthening fiscal sustainability and the sustainability of general government finances.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C29]-R[R3]-M[405], Green Budgeting alignment Report

Related Measure: ES-C[29]-R[R3], Alignment of the Central Government Budget with green budgeting

Qualitative Indicator: Publication as Complementary documentation in the Annual Budgetary Law

Time: Q2 2023

1. Context:

The objective of this reform is to align the central government budget with the EU Green Budgeting

Reference Framework thereby improving environmentally-oriented budgeting practices. The underlying methodology and monitoring framework have been designed with the support of the EU Technical Support Instrument.

Milestone 405 requires the authorities to publish a report that presents the mapping of environmentally harmful (brown) expenses in the state budget law. The report should accompany the annual central government budget for 2024 and it should be prepared in line with the methodology and monitoring framework designed with the support of the EU Technical Support Instrument.

Milestone 405 is the last milestone reform. Spain has addressed all the requirements of the measure and the related milestones.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Copy of the publication of the report on the alignment of the General State Budget with green budgeting (brown dimension) (*Informe de Alineamiento con la Transición Ecológica dimension marrón*)

iii. Link to the publication of the report in the summary document

3. Analysis:

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

The publication of a report on Green Budgeting (brown dimension) accompanying the Annual Budget Law.

The authorities have demonstrated in the summary document that a report on the alignment of the General State Budget with green budgeting has been published on the website of the Ministry of Finance on 27 May 2024. The authorities have sent a web link to the published report in the summary document (additional evidence iii). The Council Implementing Decision required that the published report would accompany the Annual Budget Law for 2024. To produce the report relevant for this milestone, the

authorities used the budgetary data that concerns the fiscal year 2023 and that was automatically extended into 2024 in accordance with the provisions of Article 134(4) of the Spanish Constitution. Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, it is considered that the focus of this milestone is to show that the authorities have developed a methodology and set up a monitoring system to analyse the central government's spending programmes and to identify the amounts that are considered harmful for the environment (so-called "brown dimension" of budget spending). In absence of a political agreement on the budget law for 2024, Spain has acted in accordance with the Spanish Constitution and extended the budget of the previous year for 2024. This means that the report can be considered as being based on budget appropriations relevant for fiscal year 2024 and it gives a comprehensive picture of the budget from the angle of green budgeting and brown dimension. As of this, this minimal deviation does not affect the progress towards achieving the reform that the milestone represents. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

The report is prepared in line with the methodology and monitoring framework designed with the support of the EU Technical Support Instrument.

Spain has set up a monitoring framework to prepare the alignment report. The framework contains an inter-ministerial working group which was composed of representatives of the Ministry for the Ecological transition and the Demographic challenge and the Ministry of Finance. The Ministry of Finance gave on 22 November 2023 a ministerial order laying down the rules for drawing up the General State Budget for 2024 (Order HFP/1254/2023). Article 7(9) of the order on the documents and deadlines for the preparation of the budget, specifies that one of the documents produced was a "Report on the alignment of the General State Budget with the green transition (in its green and brown dimensions)." The ministerial departments were asked to send to the Secretary of State for Budgets and Expenditures before 11 December 2023 a report that will include a list of the expenses recorded in the General State Budget that contribute to the achievement of environmental objectives (green dimension), as well as those that negatively affect compliance with them (brown dimension), in the terms established for this purpose by the aforementioned Secretary of State.

The authorities explain in the summary document that methodology for analysing data aimed at identifying environmentally harmful expenditure in the budget was developed in the second quarter of 2023. The authorities attest that Spain among 23 EU Member States has received support under the Technical Support Instrument to strengthen the capacity for greening public finances and to raise awareness of the EU Green Budgeting Reference Framework. This was verified in the context of the Positive Preliminary Assessment of milestone 404 of the fourth payment of Spain's RRP.

Section 2 of the report describes the methodology used to prepare the report. To identify environmentally harmful expenditures, the authorities have prepared a classification of expenditure based on the "List of broadly "brown" budget items" which was made available to the Member States by the European Commission in 2022. In addition, the section explains that the unit of analysis is carried out at the highest level of disaggregation possible regarding budget appropriations. The authorities have identified how the "brown expenditure" affects the environmental objectives of the EU taxonomy for sustainable activities (Regulation 852/2020). Finally, the authorities have analysed the spending programmes to identify harmful common costs to all ministries (mainly linked to use of fossil fuels) as well as specific expenditures that are considered harmful of nine specific ministerial departments. The ratio of harmful expenditure

identified for a budgetary programme to its computable expenditure results in the percentage of negative contribution to the environmental objectives of that programme. Thereby the developed methodology i) identifies the environmentally harmful expenditure in the spending programmes; ii) associates this spending with six environmental objectives of the taxonomy regulation; iii) assess the degree of negative contribution to the environmental objectives in a four-step scale giving labels non-significant contribution, low, medium or high negative impact ("mapping"); and iv) aggregates the results.

The presentation of a mapping of brown expenses in the annual central government budget law.

According to section 1.3 of, the published alignment report, it covers i) centralised procurement (Section 10 of the Central Government Budget); ii) ministries and dependent agencies with a limited budget (Sections 12-33); and iii) Social Security (Section 60). From the economic function classification aspect, the report covers the following classes: current expenditure on goods and services, current transfers, gross fixed capital formation, capital transfers, and financial instruments (classes 2, 4, 6-8). Spending on compensation of employees, interest on public debt, and contingency funds for budget execution, and financial liabilities (classes 1, 3, 5 and 9) are excluded. Additionally, the report's analysis also excludes transfers to territorial entities and pensions, unemployment expenditure, employment promotion, subsidies and other expenditure for social purposes. According to section 1.4, the report covers 281 budgetary programmes out of total 342 in the extended 2023 budget. The computable expenditure amounts to EUR 105.3 billion.

According to section 3.2 of the report, 39 programmes are labelled to contribute negatively to the environmental objectives, representing 13.9% of 281 programmes analysed in the report. 34 of the programmes are labelled to have "low" impact, three of the programmes are labelled as having medium and six of them as having high impact. According to section 3.3 around EUR 4.8 bn of the total of EUR 105.3 bn of computable expenditure (4.6%) may cause harm to one of the six environmental objectives of the European Taxonomy for sustainable activities. Overall, the report with its annexes presents a detailed analysis of the alignment of the state budget with the green budgeting, focusing on the brown or environmentally harmful expenditure.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C31]-R[R1]-M[477], Reform improving permitting for renewable energy production and electricity network infrastructure

Related Measure: ES-C[31]-R[R1], Reform improving permitting for renewable energy production projects and electricity network infrastructure

Qualitative Indicator: Entry into force of the provisions of the relevant legal acts

Time: Q2 2023

1. Context:

The objective of this measure is to simplify permitting procedures for renewable energy production and for electricity network infrastructure and second, to streamline the processing of permit applications.

Milestone 477 requires the entry into force of legislation simplifying procedures for renewable energy projects and for electricity network infrastructure and establishing a new administrative unit within the central administration to support processing permit applications of renewable energy projects.

Milestone 477 is the only element of this reform under the REPowerEU chapter. The reform has a final expected date for implementation on 30 June 2023.

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled;

ii. Order TED/189/2023 of 21 February creating a new administrative unit within the public administration to support the permit application process for renewable energy projects. It was published on 28 February 2023 in the national Official Journal *(Boletín Oficial del Estado*) No. 50 and entered into force on 1 March 2023 (hereinafter referred to as 'Order TED/189/2023') and available online BOE-A-2023-5261 Orden TED/189/2023, de 21 de febrero, por la que se crea la División de Proyectos de Energía Eléctrica.;

iii. Royal Decree Law 14/2022 of 1 August 2007 on economic sustainability measures in the field of transport, as regards grants and study grants, as well as measures for saving, energy efficiency and reducing energy dependency on natural gas. It was published on 2 August 2022 in the national Official Journal (*Boletín Oficial del Estado*) No. 184 and entered into force on 2 August 2022 as per its final 17th disposition (hereinafter referred to as 'RDL 14/2022') and available online BOE-A-2022-12925 Real Decreto-ley 14/2022, de 1 de agosto, de medidas de sostenibilidad económica en el ámbito del transporte, en materia de becas y ayudas al estudio, así como de medidas de ahorro, eficiencia energética y de reducción de la dependencia energética del gas natural.;

iv. Royal Decree Law 17/2022 of 20 September 2022 adopting urgent measures in the field of energy in the application of the remuneration scheme to cogeneration installations and temporarily reducing the rate of value added tax applicable to supplies, imports and intra-Community acquisitions of certain fuels. It was published on 21 September 2022 in the national Official Journal (*Boletín Oficial del Estado*) No. 227 and entered into force on 22 September 2022 (hereinafter

referred to as 'RDL 17/2022') and available online BOE-A-2022-15354 Real Decreto-ley 17/2022, de 20 de septiembre, por el que se adoptan medidas urgentes en el ámbito de la energía, en la aplicación del régimen retributivo a las instalaciones de cogeneración y se reduce temporalmente el tipo del Impuesto sobre el Valor Añadido aplicable a las entregas, importaciones y adquisiciones intracomunitarias de determinados combustibles.;

v. Royal Decree Law 18/2022 of 18 October 2022 approving measures to strengthen the protection of energy consumers and contribute to reducing the consumption of natural gas in implementation of the 'Plan + security for your energy (+ SE)', as well as measures concerning the remuneration of staff working in the public sector and the protection of potential agricultural workers affected by drought. It was published on 19 October 2022 in the national Official Journal (*Boletín Oficial del Estado*) No. 251 and entered into force on 20 October 2022 (hereinafter referred to as 'RDL 18/2022') and available online BOE-A-2022-17040 Real Decreto-ley 18/2022, de 18 de octubre, por el que se aprueban medidas de refuerzo de la protección de los consumidores de energía y de contribución a la reducción del consumo de gas natural en aplicación del "Plan + seguridad para tu energía (+SE)", así como medidas en materia de retribuciones del personal al servicio del sector público y de protección de las personas trabajadoras agrarias eventuales afectadas por la sequía.;

vi. Royal Decree Law 20/2022 of 27 December 2022 on measures to respond to the economic and social consequences of the war of Ukraine and to support the reconstruction of the island of La Palma and other vulnerable situations. It was published on 28 December 2022 in the national Official Journal (*Boletín Oficial del Estado*) No. 311 and entered into force on 27 December 2022 as per its final fourth disposition (hereinafter referred to as 'RDL 20/2022') and available online BOE-A-2022-22685 Real Decreto-ley 20/2022, de 27 de diciembre, de medidas de respuesta a las consecuencias económicas y sociales de la Guerra de Ucrania y de apoyo a la reconstrucción de la isla de La Palma y a otras situaciones de vulnerabilidad.

3. Analysis:

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

This milestone includes two elements. First, the entry into force of the Royal Decree-Laws 14/2022, 17/2022, 18/2022 and 20/2022.

RDL 14/2022 entered into force on 2 August 2022 in application of its final 17th disposition (point iii) of evidence provided). RDL 17/2022 entered into force on 22 September 2022 in application of its final seventh disposition (point iv) of evidence provided). RDL 18/2022 entered into force on 20 October 2022 in application of its final ninth disposition (point v) of the evidence provided). RDL 20/2022 entered into force on 27 December 2022 in application of its final fourth disposition (point vi) of the evidence provided).

The energy measures in these Royal Decree-Laws aim at simplifying permitting for renewable energy projects and electricity network infrastructure.

Among others, article 23 of the RDL 20/2022 establishes that, in order to achieve a reduction in energy dependency, price suppression and guarantee of supply, the authorisation procedures for renewable energy generation projects falling within the remit of the General State Administration, which have obtained a favourable environmental impact assessment report, are to be declared urgent for reasons of public interest.

Article 19 of the RDL 18/2022 under Chapter V raises from 100 kW to 500 kW of installed capacity, the threshold above which prior administrative authorisation for the construction of plants is required.

Furthermore, line with the requirement of the measure description, the reform shall include **removing restrictions on the deployment of self-consumption and simplify its permitting procedures.**

The pieces of legislation listed above include several measures simplifying self-consumption which simplify permitting for renewable energy projects and electricity network infrastructure by (i) reducing self-consumption activation times; (ii) allowing self-consumption - regardless of its source - to have greater distances to network grid; (iii) simplifying legal requirements, also between producers and distributors. These are detailed by the following elements:

(i) Article 31 of RDL 14/2022, in its first paragraph, revises the minimum period during which self-consumption is maintained from one year to four months, with the aim of optimising the use of self-consumption installations. Additionally, for consumers wishing to make surplus self-consumption and provided that the associated production facility is up to 100 kW and connected at low voltage, the activation time for self-consumption will not exceed two months.

(ii) Chapter III (i.e. articles 15 and 16) of RDL 18/2022 simplifies self-consumption by increasing the distance allowed in cases of self-consumption via the network by increasing the distance from the network to 1 000 metres in the case of generating plants located on roofs, depending on the characteristics of the buildings (article 15). In turn, article 16 aims to simplify renewable self-consumption by removing the requirement that producers and distributors have to belong to the same business group to allow for direct lines connecting renewable generation plants with consumers.

(iii) Article 18 under Title I (Energy measures) of the RDL 20/2022, further promotes self-consumption even in dwellings that do not have cover with good solar resources due to the characteristics of their buildings (orientation, type of roofs, historical cataloguing of the building, etc.) and maximise the use of land. This provision encourages self-consumption through the network by increasing the authorised distance from self-production to the network grid to up to 2 000 metres in the case of photovoltaic generating plants located on roofs, industrial land to artificial structures intended for other purposes, such as those intended to cover parking spaces or other areas.

Furthermore, in line with the requirement of the measure description, the reform shall include **simplifying the procedures for certain categories of projects, including the environmental impact assessment and the permit procedure.**

Additionally, Article 32 of the RDL 14/2022 establishes a set of legislative amendments aimed at simplifying and speeding up the authorisation procedures for renewable energy production projects and for electricity grid infrastructure. In particular: (i) article 32(1) speeds up the processing of transmission system

installations that may be considered unique, so their processing may start even if the methodology for calculating the remuneration for the electricity transmission activity has not been approved; and (ii) article 32 (paragraph 2) boosts the processing of the large number of installations by removing the need for prior administrative authorisation in certain cases, including in relation to environmental impact assessment and the permit procedures

Article 2 (paragraph 2) of the RDL 17/2022 raises the threshold from 10% to 15% to allow for the increase of installed capacity without the need to obtain a new authorisation. It also simplifies the conditions for non-substantial amendments and speeds up operating authorisations. Paragraph 4 of the same article provides for a reduction of the time limit by half in the case of when there is no need to modify the administrative building permits. Additionally, article 3 of the RDL 17/2022 increases the flexibility to reuse already submitted documents at the pre-registration phase which can be automatically transferred to the subsequent registration stage.

Furthermore, in line with the requirement of the measure description, the reform shall include **establishing a deadline when the CNMC needs to issue a report regarding the authorisation of new renewable energy projects.**

Article 32 (paragraph 3) of the RDL 14/2022 creates a deadline for the National Commission on Markets and Competition (CNMC) (of 15 days) for issuing a report on permits for distribution installations, and introduces the principle that its administrative silence after these 15 days should be considered as a positive decision, which was not the case before. Article 2 (paragraph 3) of the RDL 17/2022 sets out a set of provisions clarifying the report to be issued by the National Commission on Markets and Competition (CNMC).

Furthermore, in line with the requirement of the measure descriptions the reform shall include **clarifying and reducing the administrative burden for certain projects as regards the injection of renewable gases into the gas network.**

Article 34 of the RDL 14/2022 provides simplification for renewable energy projects since it considers that any changes to the existing positions in the gas system's transmission or distribution network that are necessary to adapt these installations to the injection of renewable gases, under certain conditions, will be considered as amendments that do not alter the basic technical and safety characteristics and can be processed directly and exempted from some procedures in accordance with the relevant Article 70 (3) of Royal Decree 1434/2002 of 27 December regulating the activities of transmission, distribution, marketing, supply and authorisation procedures for natural gas installations.

Article 13 of the RDL 18/2022 under Chapter II contributes to the acceleration of the deployment of renewable gas projects to support the replacement of the consumption of fossil-based natural gas with renewable gases. It facilitates the processing of projects for the injection of renewable gases into the existing natural gas network, by declaring the direct lines connecting a renewable gas production plant to the gas system of public utility.

Furthermore, in line with the requirement of the measure description, the reform shall include **improving the allocation of network capacity.**

Article 4 of the RDL 17/2022 and its annex I lay down the updated permissible levels of load on the electricity transmission network and their allocation criteria. This improves the allocation of network capacity determining the permissible levels of load on lines and transformers of the electricity transmission network under normal operation.

[…] Second, the entry into force of Order TED/189/2023 establishing a new administrative unit within the central administration supporting the processing of permit applications of renewable energy projects.

Order TED/189/2023 entered into force on 1 March 2023 as per its final unique disposition (point i) of evidence provided). Article 1 of TED/183/2023 provides for the creation of the Electricity Projects Division, a lower administrative body than a sub-directorate-general, which reports directly to the head of the Directorate-General for Energy Policy and Mines. The explanatory memorandum and Article 2 of TED/183/2023 describe the set of functions of the Division for the Authorisation of Electric Energy Projects which notably consists of supporting the processing of permit applications of renewable energy projects. The administrative division created in the aforementioned Order has been structurally incorporated into Royal Decree 503/2024, of 21 May, developing the basic organisational structure of the Ministry for the Ecological Transition and the Demographic Challenge.

4. Commission Preliminary Assessment: Satisfactorily fulfilled

Number and name of the Milestone: ES-C[C31]-I[I5]-M[491], Publication of the calls and rules governing the granting of support for the decarbonisation of industry

Related Measure: ES-C[31]-I[i5], Investment to support industrial decarbonisation (grants)

Qualitative Indicator: Publication

Time: Q2 2023

1. Context:

The measure aims to support the decarbonisation of industrial processes. It consists of the implementation of two support programmes for the decarbonisation of the manufacturing industry and for the development of new highly efficient and decarbonised manufacturing facilities.

Milestone 491 requires the approval and publication of the calls for the two support programmes for the decarbonisation of industry as well as of the related rules governing support in the form of grants.

Milestone 491 is the first milestone of this investment. The subsequent targets are the award of EUR 531 million to decarbonisation projects (M492) and the completion of the decarbonisation projects (M493).

2. Evidence provided:

i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in the description of milestone and of the corresponding measure in the CID annex) was satisfactorily fulfilled;

ii. Order ITU/1434/2023 of 26 December establishing the regulatory bases for the support for the decarbonisation of manufacturing industry. It was published on 3 January 2024 in the national Official Journal *(Boletín Oficial del Estado*) No. 3 and entered into force on 4 January 2024 (hereinafter referred to as 'Order ITU/1434/2023');

iii. Order ITU/831/2024 of 4 August establishing the regulatory bases for the support for the development of new highly efficient and decarbonised manufacturing facilities. It was published on 7 August 2024 in the national Official Journal *(Boletín Oficial del Estado*) No. 190 and entered into force on 8 August 2024 (hereinafter referred to as 'Order ITU/831/2024').

3. Analysis:

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

Approval (and publication) of the calls and the rules governing support in the form of grants for projects for the decarbonisation of the manufacturing industry as well as the development of new highly efficient and decarbonised manufacturing facilities.

Order ITU/1434/2023 (point ii) of the evidence provided) establishes the call and the rules governing support for the decarbonisation of manufacturing industry. It was published on 3 January 2024 in the national Official Journal. Pursuant to its Article 64, it entered into force on 4 January 2024.

Article 1 of Order ITU/1434/2023 states that Order ITU/1434/2023 lays down the regulatory bases for the granting of the aid to the manufacturing industry sectors in Spain to promote the decarbonisation of their production processes. The order sets the rules for the support, for instance: article 6 defines the beneficiaries, article 7 sets the obligations for the beneficiary, article 9 lays down the rules for sub-contracting, article 13 defines the expenditure eligible.

Article 10 of Order ITU/1434/2023 indicates that the projects must lead to the decarbonisation of a industrial plants or installations.

Article 52 of Order ITU/1434/2023 provides that the aid is granted in the form of a grant.

Order ITU/831/2024 (point iii) of the evidence provided) establishes the call and the rules governing support for the development of new highly efficient and decarbonised manufacturing facilities. It was published on 7 August 2024 in the national Official Journal. Pursuant to its Article 64, it entered into force on 8 August 2024.

Article 1 of Order ITU/831/2024 states that Order ITU/831/2024 lays down the regulatory bases for the granting of the aid to the manufacturing industry sectors in Spain for the construction and entry into operation of new, highly efficient and decarbonised industrial installations. The order sets the rules for the support, for instance: article 6 defines the beneficiaries, article 7 sets the obligations for the beneficiary, article 9 lays down the rules for sub-contracting, article 12 defines the expenditure eligible.

Article 10 of Order ITU/831/2024 indicates that the project must consist of the putting into operation of a new highly efficient and decarbonised industrial installation.

Article 52 of Order ITU/831/2024 provides that the aid is granted in the form of a grant.

The calls and the rules governing support in the form of grants for projects shall ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement to comply with the relevant EU and national environmental legislation.

Article 12(9) of Order ITU/1434/2023 (point ii) of the evidence provided) provides that projects that do not comply with the Do No Significant Harm principle are excluded and introduces an exclusion list which covers the excluded activities listed in the Council Implementing Decision (fossil fuels and activities under the European Emission Trading System not lower than the benchmark).

Article 12(11) of Order ITU/1434/2023 provides that only activities that comply with relevant national and European environmental legislation can be selected.

Article 11(8) of Order ITU/831/2024 (point iii) of the evidence provided) provides that projects that do not comply with the Do No Significant Harm principle are excluded and introduces an exclusion list which

includes the excluded activities listed in the Council Implementing Decision (fossil fuels and activities under the European Emission Trading System not lower than the benchmark).

Article 11(10) of Order ITU/831/2024 provides that only activities that comply with relevant national and European environmental legislation can be selected.

Furthermore, in line with the description of the measure, **the decision approving the PERTE for the decarbonisation of industry shall contain selection criteria to ensure compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01). In order to ensure that the measure complies with the 'Do no significant harm' Technical Guidance (2021/C58/01), the eligibility criteria contained in terms of reference for upcoming calls for projects shall exclude the following list of activities: (i) activities under the EU Emission Trading System (ETS) achieving projected greenhouse gas emissions that are not lower than the relevant benchmarks; (ii) activities related to fossil fuels, including downstream use, outside the Emission Trading Systems (ETS). The selection criteria shall additionally require that only activities that comply with relevant EU and national environmental legislation may be selected. The following R&D&I actions under this investment shall be considered compliant with the 'Do no significant harm' Technical Guidance (2021/C58/01): R&D&I actions under this investment devoted to substantially increasing the environmental sustainability of companies (such as decarbonisation, reduction of pollution and the circular economy) if the primary focus of the R&D&I actions under this investment is on developing or adapting alternatives with the lowest possible environmental impacts in the sector.**

As demonstrated above, the two orders include selection criteria to ensure that the projects comply the DNSH guidance, in particular with the use of an exclusion list. The selection criteria also require that the projects comply with national and EU environmental legislation.

Article 12(10) of Order ITU/1434/2023 (point ii) of the evidence provided) also provides that R&D&I actions dedicated to substantially increasing the environmental sustainability of undertakings are considered compliant with the DNSH guidance if the main focus is to develop or adapt alternatives with the lowest possible environmental impact in the sector.

The Order ITU/831/2024 (point iii) of the evidence provided) does not introduce such a provision, meaniing that R&D&I actions must comply with the DNSH guidance.

Furthermore, in line with the description of the measure, **selection criteria shall ensure that at least EUR 236 000 000, representing 40% of the estimated cost of the measure, contribute to the climate change objectives, in accordance with Annex VI to the RRF Regulation.**

Article 5(4) of Order ITU/1434/2023 (point ii) of the evidence provided) provides that aid can only be allocated to projects that achieve a climate contribution of at least 40 %.

Article 5(4) Order ITU/831/2024 (point iii) of the evidence provided) provides that aid can only be allocated to projects that achieve a climate contribution of at least 40 %.

The selection criteria ensures therefore that the full amount of the cost of this investment (EUR 590 million) is supporting projects that align with an intervention field with at least a 40% climate contribution, leading to a contribution of at least EUR 236 million to climate objectives.

4. Commission Preliminary Assessment: Satisfactorily fulfilled