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COMMISSION

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ANNEX

SENSITIVE*

ANNEX

to the

Commission Decision

**approving the Operational Arrangements between the Commission and Slovakia
pursuant to Regulation (EU) 2021/241**

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ANNEX

Recovery and Resilience Facility

Operational arrangements between the European Commission and Slovakia

These operational arrangements enter into force on the signature date between:

- (1) The European Commission, 200, rue de la Loi, B-1049 Bruxelles, Belgium, which is represented for the purpose of the signature of this operational arrangements by Commissioner Paolo Gentiloni;

hereinafter referred to as the “**Commission**”

on the one part,

and

- (2) The Slovak Republic, represented by the Prime Minister of the Slovak Republic Eduard Heger;

hereinafter referred to as “**Slovakia**”

on the other part,

hereinafter separately referred to as a “**Party**” and collectively as the “**Parties**”,

WHEREAS:

- (1) Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021, establishing the Recovery and Resilience Facility (the “**RRF Regulation**”) established the Recovery and Resilience Facility to provide Member States with financial support with a view to achieving the milestones and targets of reforms and investments as set out in their recovery and resilience plans.
- (2) In accordance with Article 18(1) of the RRF Regulation, Slovakia submitted to the Commission a recovery and resilience plan (the “**RRP**”). By virtue of Council Implementing Decision (EU) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Slovakia (ST 10156/21; ST 10156/21 COR1; ST 10156/21 ADD 1, (the “**Council Implementing Decision**”) the Council approved the

assessment of the RRP and determined a financial contribution of EUR 6 328 586 359 linked to the satisfactorily fulfilment of milestones and targets.

- (3) Pursuant to Article 20(6) of the RRF Regulation, the Parties should enter into operational arrangements to further specify the elements mentioned therein.

The Parties have agreed the following:

1. ARRANGEMENTS AND TIMETABLE FOR MONITORING AND IMPLEMENTATION AND THE RELEVANT INDICATORS RELATING TO THE FULFILMENT OF THE ENVISAGED MILESTONES AND TARGETS

- 1.1. To facilitate smooth cooperation and the effective implementation of the RRP, the Parties agree to maintain regular exchanges in relation to the implementation of the relevant reforms and investment projects.
- 1.2. Slovakia designated the National implementation and Coordination Authority as the Coordinator (the “**Coordinator**”) to act as the interlocutor of the Commission for the overall implementation of the RRP and of these Operational Arrangements. The Coordinator is responsible at national level for coordinating and monitoring the effective implementation of the measures envisaged and the achievement of the objectives set in the RRP.
- 1.3. The Commission designates the Recovery and Resilience Task Force and the Directorate General for Economic and Financial Affairs as the interlocutors for the monitoring of the implementation of the RRP on behalf of the Commission.
- 1.4. The Coordinator and the Commission shall hold at least quarterly exchanges to take stock of progress on the implementation of the RRP. Such exchanges may take place in person in Slovakia or in Brussels. They may also take place virtually or, if both Parties agree, via written form. While maintaining the capacity to hold physical or virtual meetings at short notice, such meetings should ordinarily be planned a minimum of 14 days in advance, with a defined agenda.
- 1.5. The exchanges to take stock of progress on the implementation of the RRP shall, as a standing item on the agenda, discuss the timeline for payment requests as set out in Section 3. The Coordinator shall assess and inform the Commission of any significant risks to the timeline for the completion of any milestone or targets, notably where that may have implications for the timeline of the associated payment request.
- 1.6. The Coordinator and the Commission may organise meetings on ad hoc topics outside of the exchanges to take stock of progress on the implementation of the RRP. Such ad-hoc meetings are encouraged to discuss investments and reforms in the RRP that may raise specific implementation challenges. These meetings shall take place in a timely

manner to identify possible implementation issues. Ad-hoc meetings may also be required to discuss specific implementation issues that cut across multiple components (e.g. compliance with the Do No Significant Harm principle), to ensure consistency across the RRP.

- 1.7. The Coordinator may nominate specific government entities that are in charge of the actual implementation of specific reforms and investments. As part of the monitoring of the RRP, the Commission may ask the Coordinator to organise technical meetings with such nominated entities to seek further information. The Coordinator shall be in copy of all exchanges and shall be invited to all technical meetings that may take place. These technical meetings may take place on a more regular basis than the meetings with the Coordinator, to enable a more frequent monitoring of the reforms and investments included under each component of the RRP and to identify possible implementation issues in advance of the exchanges. An overview of the technical meetings that are taking place will be discussed in the meetings with the Coordinator.
- 1.8. While respecting internal processes and timing, and in order to facilitate the implementation of the RRP and the assessment of payment requests, the Coordinator or nominated specific government entities are encouraged to share with the Commission any relevant information on the progress in the implementation of the RRP, in order to discuss in a timely manner its alignment with the relevant provisions in the Council Implementing Decision.
- 1.9. Annex I to these Operational Arrangements further specifies the milestones, targets and relevant indicators laid down in the Council Implementing Decision to measure the progress towards the achievement of the reforms and investment projects of the RRP.
- 1.10. Annex II to these Operational Arrangements further specifies the arrangements and timetable for monitoring laid down in the Council Implementing Decision.
- 1.11. In accordance with Article 27 of the RRF Regulation, Slovakia shall report in the context of the European Semester on the progress made in the achievement of its RRP, including these Operational Arrangements and on the common indicators set out in accordance with Article 29(4) of the RRF Regulation. Such reporting shall take place each year, by 30 April and 15 October on the progress made in the achievement of the RRP, including these Operational Arrangements, and by 28 February and 31 August on those common indicators. Annexes I and II specify the arrangements for the reporting linked to these Operational Arrangements. The Commission and Slovakia have agreed that common indicators 5 and 11 as specified in the Annex to the delegated act adopted under Article 29(4) of the RRF Regulation are not relevant in the context of the Slovak RRP.
- 1.12. In order to ensure effective coordination and complementarity of Union funding in accordance with Article 28 of the RRF Regulation, Slovakia shall include in such reporting any investment or reform supported under its RRP that has or is receiving

funding from any other Union programme and the relevant amount. In order to establish a mechanism of coordination, the Commission and Slovakia shall discuss as relevant the coordination and complementarity with other Union funding during their exchanges.

- 1.13. In the context of Article 28 of the RRF Regulation, the Commission and Slovakia agree to jointly organise an annual event with the participation of those responsible for implementing the RRP and other relevant stakeholders, to discuss complementarity, synergy, coherence and consistency between the implementation of the RRP and the other Union programmes. In addition, this event may serve as a horizontal platform to exchange views on the state of implementation of the RRP in view of ensuring close cooperation between all actors involved.

2. ARRANGEMENTS FOR ACCESS TO DATA

- 2.1. The arrangements that Slovakia has proposed in order to ensure full access by the Commission to relevant underlying data are set out in the Council Implementing Decision.
- 2.2. Annex I specifies the minimum information (i.e. verification mechanisms) that supports the due justification of the request for payment. Slovakia shall send this information to the Commission together with the payment request. Where relevant, the Commission may request samples of the evidence. In accordance with Article 24(3) of the RRF Regulation, the satisfactory fulfilment of milestones and targets shall presuppose that measures related to previously satisfactorily fulfilled milestones and targets have not been reversed by the Member State. Slovakia shall notify the Commission of any change in the documentation identified in the verification mechanism in Annex I on which that assessment was made, which is of a material nature to affect such assessment or the assessment of future milestones and targets.
- 2.3. Additionally, Slovakia shall ensure that, upon request, the Commission has full access to the underlying relevant data that supports the due justification of the request for payment, both for the assessment of the request for payment in accordance with Article 24(3) of the RRF Regulation and for audit and control purposes in accordance with Article 22(2)(e) of the RRF Regulation. This information will be provided to the Commission by the Coordinator.

3. TIMELINE FOR PAYMENT REQUESTS

In accordance with Article 24 of the RRF Regulation, upon completion of the relevant agreed milestones and targets indicated in the RRP, Slovakia shall submit a duly justified request for payment of the financial contribution. The relevant milestones and targets for each instalment are contained in the Council Implementing Decision. The indicative timeline for such payment requests is the following:

Financial Contribution

Payment Request for the First Instalment	EUR 458 277 000	Q2 2022
Payment Request for the Second Instalment	EUR 814 715 000	Q4 2022
Payment Request for the Third Instalment	EUR 814 715 000	Q1 2023
Payment Request for the Fourth Instalment	EUR 923 828 000	Q3 2023
Payment Request for the Fifth Instalment	EUR 923 828 000	Q1 2024
Payment Request for the Sixth Instalment	EUR 792 892 000	Q3 2024
Payment Request for the Seventh Instalment	EUR 792 892 000	Q1 2025
Payment Request for the Eight Instalment	EUR 400 083 000	Q3 2025
Payment Request for the Ninth Instalment	EUR 203 679 000	Q1 2026
Payment Request for the Tenth Instalment	EUR 203 677 359	Q3 2026

4. AMENDMENTS

The Operational Arrangements may be modified by mutual consent between the Parties. Such amendments may take place by an exchange of letters. The Parties consent that the entities designated as the interlocutors for the monitoring of the implementation of the RRP on behalf of the Commission in Clause 1.3 may be amended by notification.

For the Commission

For Slovakia

Represented by

Represented by

Paolo Gentiloni

Eduard Heger

Commissioner for Economy

Prime Minister of the Slovak Republic

Signed on

Signed on

