

24 November 2023

Positive preliminary assessment of the satisfactory fulfilment of milestones and targets related to the third payment request submitted by Slovakia on 25 September 2023, 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 25 September, Slovakia submitted a request for payment for the third instalment of the non-repayable support. The payment request was accompanied by the required management declaration and summary of audits.

To support its payment request, Slovakia provided due justification of the satisfactory fulfilment of the 27 milestones and targets of the third instalment of the non-repayable support, as set out in Section 2(1.3) of the Council Implementing Decision of 14 July 2023 on the approval of the assessment of the recovery and resilience plan for Slovakia¹.

For two targets covering a large number of beneficiaries in addition to the summary documents and official listings provided by Slovakia, 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.

In its payment request, Slovakia has confirmed that measures related to previously satisfactorily fulfilled milestones and targets have not been reversed. The Commission does not have evidence of the contrary. Upon receipt of the payment request, the Commission has assessed on a preliminary basis the satisfactory fulfilment of the relevant milestones and targets. Based on the information provided by Slovakia, the Commission has made a positive preliminary assessment of the satisfactory fulfilment of all 27 milestones and targets.

The milestones and targets positively assessed as part of this payment request demonstrate significant steps in the implementation of Slovakia's Recovery and Resilience Plan. They notably highlight the continuation of the reform momentum in key policy areas. This includes, among others, a set of reforms aimed at improving the legal framework for the promotion of renewables, boosting the green renovation of buildings, setting up an industry decarbonisation scheme and ensuring a more effective application of existing nature protection rules. The reforms also include the preparation of a strategy to guide the economy's digital transition, the launch of new calls to enhance the cooperation between academic researchers and private companies, and the improvement of the accessibility and quality of the education system, including pre-primary schools. The payment request covers important investments to create new digital innovation hubs and to ensure the greening of the national police force vehicle fleet.

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

¹ ST 11205/23 INIT, ST 11205/23 ADD 1, ST 11205/23 ADD 1 COR 1.

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| Number: C1.M1 | Related Measure: SK-C[C1]-R[R1]: Adapting of the electricity legal framework | |
| Name of the Milestone: Reform of the electricity market | | |
| Qualitative Indicator: Entry into force of legislative amendments to the Act on energy and Act on regulation in network industries | | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this reform is to facilitate new activities on the electricity market (such as energy communities, aggregator, self-consumer, and electricity storages), while increasing the overall flexibility of the electricity system and improving possibilities for connecting new renewable sources to the grid. It requires the amendment of two legislative acts: one on energy and the other on regulation in network industries.</p> <p>Milestone C1.M1 is part of reform C1.R1, which aims at improving the legal framework of the Slovak electricity market. The reform is expected to contribute to enabling the implementation of investment 1 (Construction of new renewable electricity sources), investment 2 (Modernising the existing renewable electricity sources capacities) and investment 3 (Increasing flexibility of electricity systems). The three investments are expected to be finalised by 30 June 2026. The milestone is implemented in parallel with milestone C1.M3 under reform C1.R2 reforming the legal framework for promotion of renewable energy sources (under the same payment request).</p> | | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> 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 (document revised on 13 October 2023). ii. Copy of Act No. 256/2022 (adopted by the Parliament of the Slovak Republic on 22 June | | |

2022, published in the Official Journal as no. 256/2022 on 21 July 2022 and entered into force on 1 October 2022) as amending Act No. 251/2012 on energy and some other laws, including Act No. 250/2012 on regulation in network industries. In the summary document, the Slovak authorities provided the hyperlinks to current consolidated versions of both legislative acts (Acts No. 250/2012 and No. 251/2012).

Analysis:

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

The legal framework shall be modified by amending Act 251/2012 Coll. on energy and Act 250/2012 Coll. on regulation in network industries to transpose the Directive 2019/944.

On 22 June 2022, the Parliament of the Slovak Republic (the National Council) adopted Act No. 256/2022 (hereinafter referred to as 'Act No. 256/2022') amending Act No. 251/2012 on energy, and Act No. 250/2012 on regulation in network industries (published in the Official Journal on 21 July 2022 and entered into force on 1 October 2022).

The new Act No. 256/2022 introduced the legislative amendments to Act No. 251/2012 on energy and to Act No. 250/2012 on regulation in network industries also in view of improving the level of transposition and conformity with the Directive (EU) 2019/944 on common rules for the internal market in electricity into the legal order of the Slovak Republic. The new legislative acts contain, among others, new provisions on market participants, general rules for the organisation of the electricity sector, consumer empowerment and protection, distribution system operators and regulatory authorities.

Furthermore, the updated legal framework shall facilitate the new activities and access of participants to the electricity market (energy communities, aggregator, self-consumer, electricity storage), while increasing overall flexibility of the electricity system and improving the possibilities for connecting of new renewable sources to the Slovak grid.

The cumulative installed capacity of solar and wind energy in Slovakia was around 7% of the total installed capacity in 2022 (according to 'EU energy in figures, 2022'), which was the second lowest in the EU. The new legislative amendments (both Act No. 251/2012 and Act No. 250/2012) increase the potential for connecting the new renewable energy sources to the electricity grid in Slovakia.

Act No. 256/2022 (amending Act No. 251/2021) establishes the new market participants – namely energy communities, electricity storage facility operators, aggregators and active consumers. Act No. 256/2022 (amending Act No. 251/2021) redefines activities in the electricity market (article 15.1) and sets out the legislative framework for the new electricity market participants, which facilitates both their activities and access to the market (also for photovoltaic and wind installations). The adoption of Act No. 256/2022 (amending Act No. 251/2012) also fosters the entry of new market players by providing customers with the right to choose and switch electricity suppliers (which newly applies also to the aggregators according to article 17d). The new rules ensure that consumers are not overburdened with disproportionately high payments in the event of termination of a fixed-term electricity contract (article 17c.7). Households are allowed to engage in an organised selection or intermediation of the electricity supply offer, so-called collective switching (article 17e). The legislative amendment includes a new possibility for market participants to opt out of prices set by the regulation and switch to electricity supply at full market rates

(article 15.4), in case they are regulated (this option is particularly relevant for households and SMEs). Conditions for such opt out are determined under article 17b of the Act No. 251/2012.

The activities of the new market entrants are supported by several measures included in Act No. 256/2022 (amending Act No. 251/2021). The functioning of distribution and transmission system operators are newly defined in articles 31 and 28, respectively. The legislative provisions include operators' obligations to ensure the operational reliability of the electricity networks, now also reflecting the inclusion of new market activities in the area of renewable energy sources. The final consumers of electricity with smart metering (article 42) can benefit from dynamic electricity price contracts (article 35.1b), helping to shift the energy usage to cheaper off-peak hours. The smart metering also allows customers to track their electricity use more closely, encouraging energy savings. The new legislation also sets out provisions related to treatment of data flows and metering, including for the new activities (articles 37 and 40). The legislative amendment introduces a legal basis for the introduction of a comparison tool for electricity suppliers' bids (including the dynamic price supply contracts), in view of providing the customers with greater transparency on market developments. This price calculator is currently available at webpage of the Office for the Regulation of Network Industries of the Slovak Republic.

Act No. 256/2022 (amending Act No. 251/2012) on energy sets out the conditions for connection of new sources for electricity generation and flexibility sources (such as sources contributing to adjustment of the electricity demand or generation in reaction to both anticipated and unanticipated power system imbalances) into the Slovak grid. While the legislation maintains the earlier concept of the market access authorization (or confirmation of compliance with the notification obligation), it enables the existing operators to make use of services offered by the new market entrants.

In particular, the new Act No. 256/2022 (amending Act No. 251/2012) simplifies and accelerates the grid connection process (article 12). It explicitly defines the conditions when a certificate for the construction of new renewable electricity installations and/or of electricity storage facilities is not required (article 12.2). The procedure for obtaining the required certificate is simplified for the construction of photovoltaic installations with a capacity below 5 MW, electricity storage facilities up to 10 MW and upgraded installations that do not increase the capacity of the installation. To lessen the risk of blocking the unused connection capacity for additional new renewable energy sources, the new legislation sets a deadline of six months for the 'expiration' of the opinions of distribution and transmission system operators (article 12.12). In addition, to improve the possibilities to connect new electricity sources to the grid, the system operators (TSOs and DSOs) are obliged to publicly consult the commercial terms and conditions of system operation (article 19.8).

The new Act No. 256/2022 (amending Act No. 251/2012) sets binding deadlines for the process of connecting new electricity generating and storage capacities to the grid, both for transmission and distribution system operators (article 19). The distribution system operator is obliged to send to applicants the draft connection contract, including the technical and commercial terms, within 30 calendar days of the complete connection request. The distribution system operator is obliged to enable the connection of an applicant within six months after conclusion of the connection contract, in case no building permit is needed to modify the system (articles 19.6, 19.8 and 19.9). The legislation defines the conditions for refusing or limiting access to the system, as well as for limiting the use of the connection capacity of an electricity-generating facility or an electricity storage facility (articles 19.9 and 19.10).

The adoption of Act No. 256/2022 (amending Act No. 250/2012) on regulation in network industries

contributes to strengthening the overall legislative framework supporting the connection of new renewable sources to the grid. In particular, it extends the rights of URSO in relation to the amended Act No. 251/2012 on energy as well as in view of the requirements of Directive (EU) 2019/944 on common rules for the internal market in electricity. Under the amended Act No. 250/2022, URSO is required to facilitate the access of new electricity generating and storage facilities into the grid (Article III, 6e). The amended legislation also provides a new legal framework for dispute resolution between the new entrants into the electricity market and URSO.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C1.M3 | Related Measure: SK-C[C1]-R[R2]: The legal framework for the promotion of renewable energy sources |
| Name of the Milestone: Framework for supporting the investments into new renewable sources | |
| Qualitative Indicator: Entry into force of legislative amendments to the Act on the promotion of renewable energy sources and high-efficiency cogeneration and to the Act on thermal energy. Adoption of a long-term auctioning plan by the Ministry of Economy. Adoption of investment schemes by the Ministry of Economy for the promotion of new sources of electricity from renewable energy sources (defined in Investment 1), investments to repowering (defined in Investment 2) and investments increasing flexibility of the electricity system (defined in Investment 3). | Time: Q4 2022 |
| Context: The objective of this reform is to update the existing legal framework for renewables and create new support mechanisms for the deployment of renewable energy sources in transport, electricity, and heating sector. The target requires the amendment of two legislative acts: one on the promotion of renewable energy sources and the other on thermal energy. The target also concerns the introduction of a long-term auctioning plan for renewable energy sources by the Ministry of Economy and the adoption of: (i) an auction scheme for renewable energy sources; (ii) a new support scheme for investments in repowering; (iii) a scheme for investments in flexibility assets. These schemes need to comply with “do no significant harm” principles (hereinafter “DNSH”) and adhere to both EU and national environmental legislation, and investments in hydropower need to be in line with the EU acquis. Milestone C1.M3 is the only milestone of this reform. By setting up the support schemes, it will enable the implementation of investment 1 (Construction of new renewable electricity sources), investment 2 (Modernising the existing renewable electricity sources capacities) and investment 3 (Increasing flexibility of electricity systems). These three investments are expected to be completed by 30 June 2026. | |
| Evidence provided: In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided: <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled. This summary document includes as an annex the following documentary evidence: <ol style="list-style-type: none"> a. A document presenting timeframes leading to the launch and implementation of all the support schemes (Investments 1,2 and 3) for renewables funded by the RRF under Component 1. The document is published at the website of the Ministry of Economy (linked at https://www.mhsr.sk/uploads/files/vhqLtDgo.pdf?csrt=11488341844174115758) b. Launched calls under Investments 1 and 2 are cross referenced with hyperlinks in the document. | |

- ii. **Electronic copy of the publication of the legislative amendments 363/2022 Coll. to the Acts 309/2009 Coll. on promotion of renewable energy sources and high-efficiency cogeneration** published on the 8th November 2022 in the Official Journal (linked at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2009/309/20230101.ht>) and which entered into force on 1 December 2022.
- iii. **Electronic copy of the Act 657/2004 Coll. on thermal energy (zákon o tepelnej energii)**, adopted by the Parliament, published in the Official Journal on 8th November 2022 (linked at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2004/657/20221201>), which entered into force on 1st December 2022.
- iv. **Electronic copy of the publication of the RRF state aid support scheme for new sources of electricity from renewable energy sources** (defined in Investment 1), the support schemes to investments on repowering (defined in Investment 2) and increasing flexibility of the electricity system (defined in Investment 3). The scheme has been published on 17th February 2022 in the Commercial Gazette (linked at <https://www.mhsr.sk/uploads/files/6Tv1RDt4.pdf?csrt=5852068613395545250>)
- v. **Electronic copy of the publication of the long-term auctioning plan for new sources of electricity from renewable energy sources** (Investment 1), adopted by the Slovak government and published on 31 December 2022 on the website of the Ministry of Economy linked at <https://www.mhsr.sk/uploads/files/Kyl2bBo2.pdf?csrt=4128922184126743255>.
- vi. **Electronic copy of the long-term timetable leading to the launch and implementation of all the support schemes for renewables**, adopted by the Slovak government, published on 30 June 2023 on the website of the Ministry of Economic Affairs of the Slovak Republic (linked at <https://www.economy.gov.sk/uploads/files/Kyl2bBo2.pdf?csrt=12326598739193795645>).

The authorities also provided:

- vii. **Copy of call number 01I01-26-V01 (call No. 1) for the auction scheme for new renewable electricity generation** and its Annex IV on DNSH conditions as published on the website of the Slovak Ministry of Economy (linked at <https://www.mhsr.sk/uploads/files/PGg12vzA.pdf?csrt=5240633839557109484>)
- viii. **Copy of call number 01I02-26-V03 (call No.2)) for the support scheme for repowering of existing renewable installations** and its Annex IV on DNSH conditions as published on the website of the Slovak Ministry of Economy (linked at <https://www.mhsr.sk/uploads/files/LWbWBxBq.pdf?csrt=5240633839557109484> and <https://www.mhsr.sk/uploads/files/kFPA19jJ.pdf?csrt=5240633839557109484>)
- ix. **Copy of call number 01I02-26-V04 (call No.3) for the support scheme for biogas** and Annex IV on DNSH conditions as published on the website of the Slovak Ministry of Economy (linked at <https://www.mhsr.sk/uploads/files/dlcsxg08.pdf?csrt=5240633839557109484> and <https://www.mhsr.sk/uploads/files/8I62CXO7.pdf?csrt=5240633839557109484>)
- x. **Copy of call number 01I02-26-V05 (call No.4) for biomethane** and Annex IV on DNSH conditions as published on the website of the Slovak Ministry of Economy (linked at <https://www.mhsr.sk/uploads/files/2SqfYX6e.pdf?csrt=5240633839557109484> and <https://www.mhsr.sk/uploads/files/RxA7mWE3.pdf?csrt=5240633839557109484>)

Analysis:

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

The legislative amendments shall create support mechanisms for increasing the share of renewable energy sources in transport, electricity and heating sector.

The amendments in 363/2022 Coll. on the promotion of renewable energy sources and high-efficiency cogeneration (*zákon o podpore obnoviteľných zdrojov energie a vysoko účinnej kombinovanej výroby a o zmene a doplnení niektorých zákonov*) were published in the Official Journal on 8 November 2022 and entered into force on 1 December 2022. The amendments to the Act No. 657/2004 on thermal energy (*zákon o tepelnej energii*) was published in the Official Journal on 8 November 2022, and entered into force on 1 December 2022. Taken together, these acts create incentives and obligations for the use of renewable energy in the transport, electricity and heating sectors while having a cumulative supportive effect on the deployment of renewable energy sources.

In the electricity sector, the amendments in the Act 363/2022 Coll. introduce new conditions in the form of support for the electricity production from biomass installations (points 17 and 83 under amending Article 14i), small installations (point 15), renewable gas (point 19 under amending article 3A). The connection process of small renewable electricity generation sources to the networks is simplified by removing connection charges and the lifting of any restriction up to the amount of reserved capacity, (point 38 by setting mandatory deadlines for the connection of renewable installations for the distribution system operator (point 39), and increased transparency requirements on the available grid capacity (point 41). The establishment of sustainability criteria for biomass fuels (point 78 article 14b, article 14h, 14i) will contribute to the increased use of biomass as sustainable means to produce electricity. The set up of contact points providing information and combined with the setup of an enabling framework for citizens and energy communities and renewable energy communities will contribute to the further development, set up and operation of renewable electricity uses and renewable electricity production (point 77 – article 10).

In the transport sector, point 78 - Article 14a of Act No. 363/2022 Coll creates an obligation for operators to blend sustainable biofuels at minimum levels, which will contribute to increasing the uptake of biofuel supply and demand. Point 78 - Article 14c of 363/2022 Coll. sets obligations for legal or natural persons placing motor fuels to achieve reductions in greenhouse gas emissions that will incentivise market operators to use renewable energy sources or renewable electricity, as well as to use less-emitting alternatives to fossil fuels.

As regards the heating sector, the amendments aim at incentivising the use of renewable energy sources towards new areas of uses in heating, cooling of buildings and hot water. Article 2 of amendments to Act No. 657/2004 on thermal energy introduces a new definition for decentralised heat source or waste heat (Article 2, item v), offering consumers who are connected to efficient centralised supply the possibility to build up a decentralised heat source using renewable energy sources, thereby stimulating self-consumption. Point 9 - Section 2 (subparagraph z and aa) amending Act No. 657/2004 introduces a new qualification for “efficient district heating” and “efficient district heating from renewables sources” by settings new targets in terms of heat produced from renewable sources, waste heat and useful heat from cogeneration. In order to incentivize district heating operators to become “efficient district heating” operators, the law tightens the conditions for customers to be disconnected from the heat network they are part of.

Point 55 - Article 18a of Act 657/2004 sets the modalities of the plan for the transition to efficient district heating to be drafted by heat distributors that intend to become efficient district heating operators. It requires heat distributors to provide information on the origin of the energy supplied to produce heat (such as from renewables, fossils), on the envisaged construction of new and

upgrading of existing heat generators, and on the connection of new heat suppliers based on renewable energy sources. The plan will also need to provide a breakdown of the costs and steps to achieve the new targets defined by the new qualification of efficient district heating (see above). This breakdown should be done in terms of heat produced from renewable sources, waste heat and useful heat from cogeneration (See Annex 2 to Act No. 657/2004 – Elements of the draft transition plan). These plans have a transformative effect on the supply of district heating and potential to reduce the use of fossil fuels this sector. Point 64 - Article 21 of Act No. 657/2004 sets up obligations for district heating operators to purchase heat produced from renewable sources or waster at a fixed price. The connection of new heat production facilities based on renewable energy sources to the district heating networks is mandatory.

In addition, a new legal framework for issuing guarantees of origin for renewable gas is established by Article 11b of Act No. 363/2022. This will create a uniform means of proving the origin of renewable gas to final customers and facilitate the cross-border trade and use of such gases. At the same time, it will be possible to issue a guarantee of origin for gas other than biomethane.

The legal framework shall be modified by amending the Acts 309/2009 Coll. on promotion of renewable energy sources and high-efficiency cogeneration and the Act 657/2004 Coll. on thermal energy. Furthermore, in line with the description of the measures, the implementation of the reform shall be completed by 31 December 2022.

Amendments to both acts have entered into force on 1 December 2022, with the exception of Act 309/2009 Coll. points 78 and 83 of Article I, which entered into force on 1 January 2023. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, points 73 and 83 of Article have entered into force at the time of the assessment.

The Council Implementing Decision required that the law enters into force on 1 December 2022. Point 42 of Article I will enter into force on 31 December 2023. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay in the Article I point 42, which introduces the obligation of the operator of the distribution system with more than 100 points of supply to allow the electricity producer to communicate with the operator of the distribution system in electronic form, does not affect the overall progress towards the achievement of reforms' objectives. As of this, this minimal temporal deviation does not change the nature of the measure and does not affect the progress towards achieving the reform that the milestone represents.

The Ministry of Economy shall adopt a long-term auctioning plan for new renewable sources, contributing to better predictability of the increase in capacity of new renewable capacity. Furthermore, in line with the description of the measure, this measure shall contribute to better predictability of the overall installed renewable capacity, creating more favourable investment environment for private investors.

The assessment on fulfilment of this requirement relies on two documents (documents v. and vi. listed above). The first is the long-term auctioning plan for new sources of electricity from renewable energy sources, adopted by the Slovak government and published on 31 December 2022 on the website of the Ministry of Economy. The second is the long-term timetable leading to the launch and implementation of all the support schemes for renewables, adopted by the Slovak government and published on 30 June 2023 on the website of the Ministry of Economic Affairs of the Slovak Republic.

The long-term auctioning plan includes details on the calls for tenders for investments in new

renewable electricity sources. These calls will be published and launched between 2023 until 2027 under the RRP State aid scheme (adopted in February 2022) and under the State aid scheme from the Modernisation Fund (adopted on 21 September 2021). The plan has been published on the website of the Ministry of the Economy and includes hyperlinks where references to and additional information on the support schemes can be found. The plan provides project developers of renewable energy sources with an overview of the calls that will be launched until 2027, thus increasing the predictability of the increase in capacity of new renewable capacity and public support for investors. The 2027 horizon has been considered as adequate for the purposes of this assessment, given that 5-years is a reference period for “for long term allocation schedules anticipating the expected allocation support” as per Article 6 (3) of the Renewable Energy Directive 2018/2001. Slovak authorities have also clarified that the 2027 horizon matches the budget EU cycle, given that the expected allocation support is provided by EU funds. Finally, due to the life cycle of the renewables investments, the projects supported by auction announced in 2027 are likely to materialise only in 2028.

In addition, the Ministry of Economy adopted and published on its website the long-term timetable leading to the launch and implementation of all the support schemes for renewables. In comparison to the auction plan, which includes only information related to the production of electricity from renewable energy sources, this timetable complements the long-term auction plan by including an overview of all types of financial support that will be allocated to different types of renewable energy sources including the heating, transport, and energy sectors. The timetable provides visibility to project developers on the future calls and projects that will be launched until 2028 with 951 EUR million disbursed and a planned increase of renewable capacity of 1650 MW.

Both long term auction plan and the long-term timetable specify the amount of funds allocated for renewable energy projects, the type of renewable energy sources supported, the timeframes for the launch of calls, eligible technologies, the type of aid and the funding sources (such as the Modernisation Fund, the Recovery and Resilience Facility and Slovakia’s programme under the Cohesion funds). The tables can be found on the website of the Ministry of Economy, ensuring visibility and predictability to potential investors and citizens on the timing, eligibility conditions, scale of financial support of future calls and projected increase of additional renewable capacity. Taken together, these documents improve the investment environment for private investors by improving the availability of information regarding the stability of financial support for renewables.

The Ministry of Economy shall adopt the new auction scheme for new sources of electricity from renewable energy sources (defined in Investment 1), the support schemes to investments on repowering (defined in Investment 2) and increasing flexibility of the electricity system (defined in Investment 3).

On 17 February 2022, the Ministry of Economy adopted the RRF stated aid scheme (evidence iv.) for the auction scheme for new sources of electricity from renewable energy sources (Investment 1), the support scheme to investments on repowering (defined in Investment 2), and the scheme increasing flexibility of the electricity system (defined in Investment 3). The overall RRF state aid support scheme for these investments has been published it in the Commercial Gazette.

Section H of the RRF State aid support scheme defines the following installations for the production of new sources of electricity from renewables as eligible for support (investment 1): only new installations using solar, wind, geothermal, biomass, biogas, and land fill gas for the production of electricity. These installations qualify as renewable energy sources under the Renewable Energy Directive.

As regards the design of the scheme and the nature of the auction, Slovak authorities have put in place an investment support scheme for the production and storage of electricity from renewable energy sources (See Section G scope of application of the RRF State aid support scheme), based on a technology-neutral bidding scheme. There is no preference for specific technologies, since solar, wind, geothermal energy, biomass, biogas, landfill gas or wastewater treatment plants installations face the same eligibility conditions (namely a minimum and maximum size, additional capacity increase, implementation period - Section 7- of call No.1 01I01-26-V01).

Section H of the RRF State aid support scheme sets out which upgrades of existing hydropower stations, existing biomethane production installations and existing biomass installations are eligible for support (investment 2). It includes a footnote specifying that the renovation and upgrading of installations will be eligible.

Section H of the RRF State aid support scheme sets out the support to energy storage facilities in investment 3 (connected to a renewable electricity generation facilities and installations producing hydrogen by electrolysis using electricity from renewable electricity installations or storage are eligible).

The schemes shall detail the eligibility criteria for supported companies, ensuring compliance with the EU and national environmental acquis as well as the DNSH Technical Guidance (2021/C58/01) of supported activities and/or companies, while increasing the new RES capacities as detailed in corresponding targets (for Investments 1, 2 and 3).

Section M point 5 of the RRF State aid support scheme stipulates that “aid will only be granted if the project submitted by the applicant complies with the DNSH principle. The conditions to fulfil this principle will be specified in each call”. Furthermore, sections B of the published calls under investment 1 (call No.1; document vii.), investment 2 (Call no. 2 and 3; documents vii. and iv.) and investment 3 (call No.4; document x.) detail the eligibility criteria for the supported companies and types of technologies.

Compliance with DNSH conditions is further detailed at the level of the different calls for investments (Section 11 of call No. 1; section 11 of call No. 2; section 11 of call No. 3; section 11 of call No. 4). The different conditions for the project promoters to demonstrate compliance with the DNSH principle are detailed in the Annex documents (Annex 4 for call No.1, 2, 3, 4). The annexes also set out the means of proof that could demonstrate no significant harm to each environmental objective listed in the Taxonomy Regulation. According to section 11 of call No.1 (new renewable electricity production), section 11 of call No. 2 (hydropower), section 11 of call No. 3 (upgrade of biogas) and section 11 of call No. 4 (upgrade of biogas and biomethane stations), each applicant is requested to provide information on the means of proof of compliance with DNSH conditions in the application form.

Council Implementing Decision for Investment 1 requires that the support scheme delivers at least 120 MW of new capacity induced by the new renewable sources under the measure connected to the grid. In this respect, the call No.1 01I01-26-V01 is consistent with this objective since the eligibility conditions (section 7 of the call No.1) for projects. Specifically, the implementation of the projects must result in the new capacity induced by the new renewables sources connected to the grid, and thus requires the applicant to quantify the additional capacity in the application form. The amount of additional installed capacity together with the requested costs are a decisive factor for the selection of projects. While not directly defining any capacity targets, the scheme is based on a set budget and a support cap that aims at stimulating competition and optimise the price for the maximum of installed capacity. In addition, the call is consistent with the timeline set by investment 1 (all projects must be completed by 2026).

Council Implementing Decision for Investment 2 requires that the scheme delivers at least 83 MW of modernised (repowering) installed capacity connected to the grids that are expected to be reconstructed for electricity generation or biomethane production, supported under the measure. Call no.2 on hydropower repowering and Call no.3 on biomethane production are relevant to the fulfilment of this target. Section 7 of the call No.2 (support for the upgrading of existing electricity production facilities from renewables) sets as a mandatory eligibility condition that the implementation of the project must not lead to a reduction of the installed capacity, and must result in an increase of the installed capacity, as well as the extension of the lifetime of the hydropower plant. This is consistent with the description of the Investment 2 which foresees the increase of 83 MW in modernised capacity by means of modernisation of hydropower plants. The eligibility conditions for the modernisation of existing biogas stations producing electricity from biogas described in section 7 of the call No.3 (repowering of biogas stations) are also consistent with the scope and timing of the investment 2.

Council Implementing Decision for Investment 3 requires that the support scheme delivers at least 52 MW cumulative increase of balancing capacity, induced by the new storage capacities, and increase of balancing capacity of existing hydropower plants, connected to the grid. The investment policy of the adopted State aid RRF scheme (See section H of the State aid scheme 'eligible project') is consistent with the corresponding targets for Investment 3, in that it specifies the construction of electricity storage facilities and electrolysers as eligible projects. Furthermore, the "eligibility criteria for support companies" are specified in Section F of the State aid scheme. No calls under this investment 3 have been published at the moment of the assessment.

The biomass projects shall result in upgrades of biogas stations achieving at least 80% GHG emissions savings in relation to the greenhouse gas saving methodology and comparator set in Annex VI to Directive (EU) 2018/2001, in line with the conditions resulting from Commission Delegated Regulation (EU) 2021/2139.

Section H of the RRF State aid support scheme requires that projects for the production of electricity from biomass, biogas and landfill gas are eligible only if they demonstrate CO₂ emission savings of 80 % on the basis of the requirements of the Renewable Energy Directive 2018/2001.

The call No. 3 (upgrade of biogas stations), specifically the section "Electricity generation from biomass" in Annex 4 on the DNSH requires projects to achieve greenhouse gas emissions saving of at least 80% compared to a fossil fuel comparator. Specific conditions apply to plants carrying out anaerobic digestion of organic material, namely the set-up of monitoring and contingency plans to minimise leakages of methane and the obligation to use the biogas directly to produce electricity from heat (point 4). The specific conditions in point 4 are aligned with criteria 1 and 2 of Section 5.7 of Commission Delegated Regulation 2021/2139.

Means of compliance with the greenhouse gas saving methodology and comparator set in Annex VI to Directive (EU) 2018/2001 DNSH are described in the same section. At the stage of the application, applicants are required to describe the measures they will take to meet the requirements. After the selection of the projects, the verification and enforcement of this requirements will be ensured during the operation of the installation, whereby beneficiaries will be required to provide concrete evidence in the form of (i) sustainability certificates; (ii) certificates on the emission savings achieved; (iii) monitoring and contingency plans.

Section "Electricity generation from biogas and biomethane production" point 4 of the DNSH Annex 4 to the call No.4 requires biomass projects to achieve greenhouse gas emissions saving of at least

80% compared to a fossil fuel comparator.

In the event of transformation projects into installations producing biomethane, an obligation that greenhouse gas emission savings shall amount to at least 70% in relation to the greenhouse gas saving methodology and fossil fuel comparator set out in Annex VI to Directive (EU) 2018/2001.

Section 8 on “eligibility conditions” of call No. 4 (evidence no.x) sets out that eligible projects related to the transformation projects into installations producing biomethane.

The obligation regarding the greenhouse gas emissions savings is integrated in call no.4, and its DNSH Annex 4 under points 4 “electricity generation from biogas and biomethane production”. It is required that installations producing biomethane from biomass achieve greenhouse gas emission savings from the production of biomethane of at least 70% in relation to a fossil fuel comparator of 94 g CO₂eq/MJ (according to the greenhouse gas savings methodology set out in Annex VI to Directive (EU) 2018/2001). This also applies to the case of transformation projects from biogas to biomethane.

Biomass and biomethane projects shall be sustainable in line with the Renewable Energy Directive (EU) 2018/2001 (REDII).

Sustainability and greenhouse gas emission saving criteria are defined by Article 29 of the Renewable Energy Directive EU 2018/2001. Article 30 sets out the means to verify compliance with the sustainability and greenhouse gas emission saving criteria, and Article 31 sets out how to calculate the greenhouse gas impact of biofuels, bioliquids and biomass fuels.

Section G of the RRF State aid support scheme outlines that the support is only eligible to installations producing sustainable biofuels other than food-based biofuels. Section H of the same scheme specifies that (biomass and biomethane) projects using biomass, biogas, and landfills gas to produce electricity can only be eligible if they can demonstrate the achievement of 80% greenhouse gas emission savings. Conversion of existing food-based biofuel plants into advanced biofuel plants, as well as the production of food-based biofuels, is not eligible.

Section IV of the Annex 4 of call No.1 (new renewable electricity generation) sets the DNSH conditions to be fulfilled by the applicant. For the climate change mitigation criteria, the obligation applies for installations using biomass to achieve greenhouse gas emission savings of at least 80% compared to a fossil fuel comparator under Article 31 of the Directive (EU) 2018/2001, as well as the obligation to comply with the sustainability criteria under Article 29 of the Directive (EU) 2018/2001. The verification of effective compliance with the sustainability requirements will be ensured via inspections during the operation of the installations.

Section “Electricity generation from biomass” of DNSH Annex 4 of call No.3 (upgrade of biogas stations) requires biomass projects using forest and agricultural biomass to produce electricity to comply with the sustainability requirements for biomass laid down by the Article 29 of the Renewable Energy Directive (EU) 2018/2001 (point 1 and 2), and to achieve greenhouse gas emission savings of at least 80% (point 3). The verification of effective compliance with the sustainability requirements will be ensured during the operation of the biomass projects. Beneficiaries will have to provide sustainability certificates, certificates on the emissions savings achieved and the monitoring and contingency plans.

The section on “electricity generation from biogas and biomethane production” under point 4 of DNSH Annex 4 to the call No.4 requires biomethane projects to demonstrate compliance with the sustainability and greenhouse gas savings criteria set out in Article 29 of Directive (EU) 2018/2001.

Point 4 also requires that the demonstration of compliance is ensured pursuant article 30 of the Directive. Operationally, the applicant is required to describe in the application how it intends to meet the requirements via a self-declaration. Once the project enters operation, beneficiaries will be required sustainability certificates and certificates on the emissions savings achieved.

Furthermore, in line with the description of the measure, **only investments into hydropower that are in line with the EU acquis shall be supported by the Slovak recovery and resilience plan.**

As regards alignment with EU acquis (Directive 2000/60/EC), Section G of the RRF State aid support scheme sets that modernised hydropower plants can only be supported if compliance is ensured with Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for Community action in the field of water policy.

Section B.11 "Do no significant harm conditions" of call No.2 requires the submitted projects to comply with the requirements stemming from the provisions of the Water Framework Directive, in particular Articles 4 and 11, to implement the necessary measures to mitigate adverse impacts on water, protected habitats and directly water-dependent species. Project applicants are to include, where relevant, measures to ensure the release of ecological flows, fish migration (such as preparation of project documentation for the construction of fishing permits), sediment management and habitat protection measures with a view to achieving a good condition or potential of the water body concerned.

DNSH Annex IV to call No.2 includes the criteria that investments must fulfil to demonstrate compliance with the DNSH principle. Particularly relevant is the obligation for applicants to provide an environmental impact assessment and to demonstrate the compliance of the projects with the provisions of Directive 2000/60/EC. This requires the project applicant to undertake different types of measures to mitigate adverse impacts on water, as well as on protected habitats and species directly dependent on water. This also includes measures to ensure sediment flow and minimum ecological water flow, measures to ensure upstream and downstream migration of fish and measures to protect or improve the condition of habitats. The Annex IV (page 3) details the type of proofs, commitments and reporting obligations that need to be provided by the applicant at the different stages of the project (application stage, during the implementation and throughout the lifetime of the project). Monitoring reports need to be submitted to the implementing body every year. During the selection phase, the Ministry of Economy (as the authority in charge of call) is required to consult the Ministry of Environment or relevant environmental bodies on the relevance of the mitigation and compensation measures. To conclude, the DNSH Annex IV provides for adequate safeguards ensuring that the conditions set out by the Water Framework Directive are effectively applied on the ground by the selected hydropower projects and enforced during the lifetime of the projects.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C2.M1 | Related Measure: SK-C[C2]-R[R1]: The harmonisation of support mechanisms for the renovation of family houses |
| Name of the Milestone: Implementation plan to mobilise green renovation of family houses | |
| Qualitative Indicator: Adoption of the implementation plan by the Ministry of Environment | Time: Q3 2022 |
| <p>Context:</p> <p>The objective of the reform is to map, align and bring together different support schemes, to uniform and streamline the renovation process, and to provide incentives to owners for implementing a wider range of renovation measures.</p> <p>Milestone C2.M1 consists of the adoption of an implementation plan by the Ministry of Environment, mapping and harmonising different support schemes for the renovation of family houses.</p> <p>Milestone C2.M1 is the only milestone of this reform.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including all the constitutive elements 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 implementation plan for the green renovation of single-family houses signed by the Minister for environment on 1 May 2023, published on 16 May 2023 in the official website of the Ministry of environment, including sections on the mapping of previous and current schemes, the establishment of regional offices, the preparation and launch of calls for proposals (2 pilot calls and 3rd call), the communication plan and the measures related to implementation risks. It includes annexes related to the DNSH aspects (annex 1), the documents for the three first calls for proposals, including the guidelines for applicants and the DNSH guidelines (annexes 2 to 4), the verification mechanism for the actual achievement of at least 30 % primary energy savings (annex 5), the model of an energy performance certificate (annex 6), the project energy assessment model (annex 7) and the delegated powers of the Ministry of Environment to the Environmental Agency for the management of the new RRP schemes (annex 8). iii. Copy of the time schedule for 2022 and 2023 calls as published on the website of the Ministry of the Environment (https://www.minzp.sk/poo/vyzvy-priame-vyzvania.html). <p>The authorities also provided:</p> <ol style="list-style-type: none"> iv. Link to the website of the Ministry of environment where the implementation plan and the calls for proposals are published, linked at https://www.minzp.sk/poo/vyzvy-priame-vyzvania.html. v. Weblink to Act No. 555/2005 of 8 November 2005 on the energy performance of buildings and amending certain acts (linked at https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/555/_) vi. Copy of the implementation plan for the green renovation of single-family houses, as published on 16 May 2023 on the official website of the Ministry of environment (same document as evidence document ii above, without signature). | |

- vii. **Order of organisation of the Slovak Environmental Agency** (*'OS 01/2007 Organizačný poriadok SAŽP', CZ 8241/2021*), applicable as from 1 April 2021.
- viii. **Organisational structure of the Slovak Environmental Agency** (*PGR 08/2021 Organizačná štruktúra SAŽP*), applicable as from 1 April 2021.
- ix. **Organisational structure of the Slovak Environmental Agency** (*PGR 09/2023 Organizačná štruktúra SAŽP*), applicable as from 26 October 2023.

Analysis:

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

The implementation plan shall map different support schemes and harmonise them.

The implementation plan (referred to below as “the plan”, evidence document No ii above) for the green renovation of single-family houses, adopted by the Minister of Environment on 1 May 2023 and published on the websites of the Slovak Environmental Agency and the Ministry of Environment on 16 May 2023, sets the conditions for the preparation and implementation conditions of the new and only funding scheme under the RRP, which is the main and long-term funding tool for the deep renovation of single-family housing in Slovakia.

As a first step, the plan maps and analyses past and current renovation schemes of family houses in Slovakia and in other EU Member States (pages 13 to 16), focusing on the type of eligible activities for funding, the communication tool to reach out to and support potential beneficiaries, and the management of the schemes. In a second step, the plan outlines the conditions for the Calls for proposals under the RRP schemes (pages 16 to 21 – see point 3 below). In the third step, the overall offer of support schemes in the country is simplified to uniform and streamline the renovation process, primarily through the support of the RRP scheme.

Finally, the plan sets uniform conditions for the preparation and implementation of the Calls for proposal under the RRP scheme, including the assignment of dedicated staff in the 10 regional offices to reach out to and support the house owners and monitor the funded projects “on the ground” (pages 6 and 7). It sets out a communication plan for future schemes (pages 18 to 19). It also clarifies the methodology to ensure the compliance of funded projects with the Do-No-Significant-Harm Principle (DNSH) (see point 5 below).

Furthermore, in line with the description of the measure, **the implementation plan shall detail the preparation for the start-up of the scheme, timetable, and its administration.**

The plan outlines modalities for the start-up phase of the Calls (page 5) including the launch of a dedicated website, the capacity-building of the staff and their posting in the regional offices (pages 19 and 20).

The RRP scheme is implemented through a set of Calls for proposals, which can be adapted to the actual needs (page 6). The first pilot calls for proposals were published in April 2021 to enable potential applicants, owners of family homes to prepare for subsequent ‘standard’ long-term calls launched in 2022 and 2023. The timetable for the different standard calls to be launched in 2022 and 2023 was published on the website of the Ministry of the Environment (evidence document No. iv).

The administration of pilot and standard Calls is carried out at respectively by the regional offices and the Agency for Environment. The preparation and assessment of project applications is simplified and accelerated due to the new IT system for the RRP (‘ISPO’), which is connected with several national databases, and to the use of simplified cost options to simplify the administrative

burden for applicants (page 6).

The plan summarises the early results of the pilot Calls (pages 16 and 17), which led to adaptations in the preparation of the main call for proposal launched in 2023. These adaptations relate mainly to the simplification of the conditions of the calls and the evaluation of applications, the reinforcement of technical assistance for the applicants, and the setting out of criteria to define the “energy poverty”.

Furthermore, in line with the description of the measure, **the design of the support schemes, criteria, and conditions as well as implementation steps shall be outlined in the implementation plan to be published by Slovak Environmental Agency by 30 September 2022.**

The plan outlines the conditions for the new schemes to be funded under the RRP (pages 16 to 21).

The general criteria for eligibility (page 6) relate to the date of building of the house (at latest by 31 December 2012), and the time of residence (the owner should have her/his permanent residence in the family house at least one day before the publication of the Call). A project can be eligible for funding if it contributes to save the primary energy consumption of the Call by at least 30% and improving the climate resilience of the house. To this end, a project should include measures to improve the thermal conditions of the house (such as the insulation of the facade and replacement of windows); it can also include one or several activities related to energy (replacements of heating systems, installation of renewable energy sources), and new actions (not included in former schemes) contributing to the adaptation of homes to climate change (green roofs, water retention measures, external shielding) (table page 11).

The wider scope of eligible actions, the higher level of support per house (60% in average) compared to previous schemes, the further increase of the funding support in case of achieved energy savings beyond the required 30% (page 9), are expected to provide important incentives for a wider range of renovation actions (deep renovation). The increased intensity of the funding to of up to 95% based on the social situation of the owner is also meant to fight against the energy poverty (page 8).

The modality for the receipt and assessment of applications are standard for open Calls (on a first-come-first-served basis) and described in the plan (pages 10 and 11).

The Council Implementing Decision required the adoption of the implementation plan by 30 September 2022. The implementation plan was adopted and signed by the Minister of Environment on 1 May 2023. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the implementation plan was adopted at the time of the assessment.

The plan shall detail the monitoring of the reconstruction and verification of energy savings primarily by energy performance certificates, or other corresponding documents.

The plan specifies the modalities for the monitoring and verification of primary energy savings achieved (page 10), primarily through the provision of energy certificates. The model for these certificates has been published on the website of the Agency for Environment and presented to the professional public in training sessions organized by the Chamber of Civil Engineers.

The original value of consumption of primary energy of the single-family house (prior to the implementation of the renovation) is assessed based on a project energy assessment or an energy performance certificate. An energy performance certificate is requested at the time of the request for payment, after the renovation.

Furthermore, in line with the description of the measure, **to ensure effective and timely**

implementation, the capacities of the Slovak Environmental Agency are strengthened.

The Ministry of the Environment has entrusted the management of the scheme to the Slovak Environmental Agency (Annex 8 of the plan). A new Recovery Plan Section was created in the Slovak Environmental Agency in April 2021 (Article 9, evidence document No. vii), with 15 new posts allocated to it (evidence document No viii, Annex I). The Recovery Plan Section was subsequently allocated additional posts, with a total of 136 posts as from 26 October 2023 (evidence document No ix. above), corresponding to the posts in the headquarters and the ones in the new regional offices.

In the implementation phase, house owners shall be reached out to through a communication campaign and to-be-established regional offices as well as by providing a technical assistance and consultation.

A communication strategy for the scheme has been developed (pages 16-20 of the plan) and is being implemented, covering the RRP scheme and all its Calls. It targets potential applicants as well as relevant professionals in the sector and local mayors. It envisages press conferences held by the Minister for Environment and the Agency, TV and radio campaigns, an informative video broadcasted in the top-10 nation-wide news portals, and expert conferences. Other means of communication are the website of the Agency and a dedicated call centre of the Ministry of the Environment ("Green line"), as well as online professional training.

The staff in the regional offices of the Slovak Environmental Agency supports the project's applicants and project's holders "on the ground", providing comprehensive information and guidance on the requirements of the calls for proposals, and ensuring the "on-site" monitoring of projects throughout the implementation phase of the renovation schemes (pages 6 and 7 of the plan).

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C2.M2 | Related Measure: SK-C[C2]-I[I1]: Improving the energy efficiency of family houses |
| Name of the Milestone: Launch of the support schemes to mobilise energy savings and green renovation | |
| Qualitative Indicator: Launch of the support schemes to mobilise energy savings and green renovation | Time: Q3 2022 |
| <p>Context:</p> <p>The objective of this investment is to complete the renovation of at least 25 164 single family houses, while achieving on average at least 30% primary energy savings. The renovation comprises energy savings measures and (when possible) measures to increase climate resilience of buildings.</p> <p>Milestone C2.M2 concerns the launch of support schemes to mobilise energy savings and green renovation. It comprises four calls for applications: two pilot Calls launched in September 2022, followed by two longer-term calls published in March and September 2023.</p> <p>Milestone C2.M2 is the first step of the implementation of the investment and is accompanied by C2.M1 in this payment request, related to the adoption of an implementation plan to mobilize the green renovation of family houses. It will be followed by Targets C2.T3 and C2.T4 related to the renovation of completion of respectively 13.000 and 25.164 renovated single family houses achieving at least 30% primary energy savings.</p> <p>The investment has a final expected date for implementation by 30 June 2026.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including all the constitutive elements 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 Call 1 for the Renovation of Family Houses Mechanism published on 6 September 2022 and related guidelines for applicants (Call Number: 02I01-18-V01 “Pilot call”). iii. Copy of Call 2 for the Refurbishment of Family Houses Mechanism published on 6 September 2022 and related guidelines for applicants (Call Number: 02I01-18-V02, “Pilot call – Concessional”). iv. Copy of Call 3 for the Refurbishment of Family Houses Mechanism published on 27 March 2023 and related guidelines for applicants (Call number: 02I01-18-V03, ‘standard call’). v. Copy of Call 4 for the Refurbishment of Family Houses Mechanism launched on 6 September 2023 and related guidelines for applicants (Call Number: 02I01-18-V04, ‘Favoured Call’). vi. Screenshot of the publication of the Calls on the website of the website of the Slovak Environmental Agency. vii. Copy of the four Calls’ checklist for the fulfilment of investment requirements linked to the construction and renovation of buildings” (eligibility checklist), including DNSH related requirements. <p>The authorities also provided:</p> <ol style="list-style-type: none"> viii. An indicative timetable for the launch of Calls for proposals under the RRP scheme. | |

- ix. **A copy of the implementation plan to mobilise the green renovation of single-family houses**, signed by the Minister for environment on 1 May 2023, published on 16 May 2023 in the official website of the Ministry of environment.

Analysis:

The justification and substantiating evidence provided by the Slovak authorities cover all constitutive elements of the milestone. In particular:

The schemes to mobilise energy savings and green renovation shall be designed and launched in line with the measures and schedule adopted by implementation plan. Respective calls shall be published by the Slovak Environmental Agency at a website. Furthermore, in line with the description of the measure, **the investment shall be targeted to the owners of older single-family houses. A financial contribution of owners is expected.**

The Implementation Plan (referred to below as the “plan”, evidence document No. ix) provides the main elements and conditions of/for the RRP scheme for the renovation of single-family house, comprising measures to improve the energy consumption, develop renewable energy sources and increase the climate resilience of the house (see point 2 below).

The plan sets out that Calls for proposals can be launched as necessary to fit the needs of the market (page 5 of the plan). Four Calls for proposals (referred to below as “Calls”, see evidence documents on the Call notice and the related guidelines for applicants No ii (for call 1), No iii (Call 2), No iv (Call 3) and No v (4)) have been launched under the RRF scheme, comprising:

- i. two pilot Calls launched in September 2022 and closed on 28 February 2023, targeting respectively the owners of single-family house (“pilot call”, Call 1), and families with at least 4 children under the age of 18 or with a severely disabled child under the age of 18 (“Pilot call – Concessional”, Call 2);
- ii. two new and long-term Calls launched in March and September 2023 (Calls 3 and 4); the Call 4 includes the support to the installation of biomass boilers in line with the DNSH requirements. During the preparation of these two calls, the eligible measures to the actual needs of the owners (following the results of the pilot Calls), and the application modalities were simplified.

The four Calls were launched in line with the indicative timeline of the plan published (evidence document No viii). They were published on the websites of the Slovak Environmental Agency and of the Ministry of environment (see evidence No vii).

In line with the RRP scheme as set out in the plan (page 2), the four Calls support (only) the renovation of single-family houses (Guidelines for application of the Calls: section 4.2 for Call 1, section 4.3 for Call 2, sections 3.1 for Calls 3 and 4), (2) which were built before 2013 (Guidelines for application of the Call: section 4.3 for Call 1, section 3.3 for Call 2, sections 3.1.3 for Calls 3 and 4) and are thus older single-family houses.

The Calls were launched in line with the measures adopted by the plan, as regards the types of eligible measures for funding (table page 11 of the plan) (see point 3 below).

The aid intensity under the Calls ranges from 60% to 95% of the total eligible expenditure (Guidelines for application of the Calls: section 4.6.1 for Call 1, section 3.6 for Call 2, sections 4.1 for calls 3 and 4), therefore requiring a financial contribution of the owner.

The schemes shall be designed to incentivise on an average at least 30% primary energy savings. Furthermore, in line with the description of the measure, **energy savings shall be verified primarily through energy performance certificates or other corresponding documents.**

The achievement of at least 30 % primary energy savings compared to the original condition of the house is an eligibility requirement under the four Calls (Guidelines for application of the Call: Section 4.4 for Call 1, section 3.4 for Call 2, Sections 3.2.2 for Calls 3 and 4), to be achieved through the implementation of measures improving the thermal characteristics of the building (see the point 3 below). In order to incentivize applicants to more ambitious projects, a higher nominal limit for the support granted was set for projects with savings of primary energy above 60 % (Guidelines for application of the Calls: Sections 3.6 under Calls 1 and 2, sections 2.6 for Calls 3 and 4).

In case the level of energy savings in line with the conditions of the Call is not achieved, the project's application or the payment claim is rejected. In line with the implementation plan, the actual energy savings is evidenced through the provision of building energy performance certificates ('ECB') and Project Energy Assessments (PEHs) elaborated by qualified persons. A submission to the ECB or PEH is accepted at the stage of the project's application to the scheme, while an ECB must be provided at the stage of the payment request for the project (Guidelines for application of the calls: section 4.4 for Calls 1 and 2, sections 2.6 for Calls 3 and 4). Templates for both documents are published on the website of the Agency for environment.

A list of possible measures includes: insulation, replacement of windows, restoration of roof, rainwater retention, boiler replacement or removal of asbestos cover, or other measures in line with description of the investment. Furthermore, in line with the description of the measure, in addition to traditional energy savings measures such as thermal insulation, window replacement, the mechanism shall enable replacing inefficient heat and hot water sources with high efficiency installations or installing new renewable energy devices. Where possible, measures to increase climate resilience of buildings (such as vegetation roofs, rainwater capture) shall apply. To mobilise the comprehensive and green renovation, support schemes shall include a combination of mandatory and optional part.

The measures eligible under the calls are included in the list set out in the implementation plan (table page 11), following the same structure (groups A and B). The eligibility criteria for the measures implemented in the projects include (Guidelines for application of the Calls: Section 4.4 for Calls, Section 3.4 for Call 2, section 2.6 for Call 3 section 2.8 for Call 4):

- "Group A" mandatory measures (to improve the thermal characteristics of individual single-family house structures (s) in order to improve its energy performance (such as by insulation of the envelope, thermal insulation of roof covering, replacement of opening structures, insulation of non-heated floor, insulation of the ceiling of unheated basement, insulation of the floor on the ground);
- As well as optional and complementary "Group B" measures to develop renewable energy sources (a), through the installation of heat pump, photovoltaic systems, solar collectors, gas condensing boilers (under strict conditions), (de)centralised recovery systems, and/or to increase the climate resilience of the house (b), such as the development of green roof, the installation of rainwater storage tanks, external blinds, and asbestos removal.
- In the fourth call specifically, the list of eligible measures was extended to include the installation of a biomass boiler for pellets (Guide for application, section 2.8).

The schemes shall comply with "Do no significant harm" Technical Guidance (2021/C58/01) requirements. Furthermore, in line with the description of the measure, investment measures linked to renovation of buildings shall comply with DNSH requirements, including, the reuse and recycling of construction and demolition waste and the gas boiler replacement scheme, which shall be a small part of the overall renovation programme. In case biomass boilers are included in the renovation scheme: the replacement of obsolete coal/oil/biomass boilers by biomass boilers shall be allowed, if replaced by high-efficiency biomass boilers in one of the two highest

energy efficiency classes under the energy labelling regulation fuelled by pellets. In addition, the replacement of obsolete gas boilers by biomass boilers is possible if replaced by pellet-based biomass boilers in one of the two highest energy efficiency classes under the energy labelling regulation. No replacement of gas boilers by biomass boilers is allowed in Air Quality zones with exceedance of PM10 limit values.

The DNSH requirements to be fulfilled under the RRP scheme are set out in the implementation plan (evidence document ix, page 9). The specific DNSH requirements for eligible project's measures are included in the checklist for the eligibility of the project's measures, elaborated for each Call (evidence documents vii).

In line with the DNSH requirements, at least 70 % (by weight) of hazardous construction and demolition waste (generated in the construction site must be prepared for re-use or sent for recycling or other material recovery, including backfilling operations using waste as a substitute for other materials (evidence documents vii, DNSH requirements).

Gas boiler condensers are eligible under the four Calls (Guidelines for applicants: Section 4.4 for Calls, Section 3.4 for Call 2, section 2.6 for Call 3 section 2.8 for Call 4), on condition that all the following DNSH conditions are met: a) it is part of the comprehensive renovation, such as the different types of building structures are required to comply with the maximum value for the heat transfer factor as defined in thermal standard STN 73 0540-2+Z1+Z2; b) it is classified as energy class A on the energy label; c) it complies with eco-design requirements, such as meeting the parameters of Commission Regulation (EU) No. 813/2013 implementing Directive 2009/125/EC with regard to eco-design requirements for space heating heaters and combination heaters (requirements from 26 September 2018); d) it replaces an outdated gas boiler (and the new gas condensing boiler has a proven lower installed capacity than the original gas boiler) or a coal- and oil-based heat source. The maximum contribution per gas boiler is 20 % of the total contribution.

The support to pellet biomass boilers is possible under the 4th Call for proposals only (Guide for applicants page 14), under strict DNSH conditions as follow: a) it complies with eco-design requirements (that it meets the parameters of Commission Regulation (EU) 2015/1189 implementing Directive 2009/125/EC with regard to eco-design requirements for solid fuel boilers (28 April 2015) b) it is classified in one of the two highest significant energy efficiency classes within the meaning of Article 7(2) of Regulation (EU) 2017/1369 of the European Parliament and of the Council setting a framework for energy labelling and repealing Directive 2010/30/EU; c) it has a declaration of conformity issued; d) it replaces an outdated biomass boiler or coal/oil-based heating system or replaces an outdated gas boiler, provided that the project is not located in one of the municipalities above the PM10 values (as listed in annex 4 to the Call); e) the boiler is not intended for wood gasification or incineration or co-incineration fossil fuels.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C3.M11 | Related measure: SK-C[C3]-R[R3]: Intermodal freight transport |
| Name of the Milestone: Concept and calls for new support schemes | |
| Qualitative Indicator: Launch of calls for new support schemes on the basis of concept of intermodal transport development | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of the reform is to support increased inter-modality in transport through procurement, the coordination of logistics and promoting the launch of new intermodal routes. The objective of this reform is to shift 30% of road transport over 300 km to rail or waterborne transport by 2030 and over 50% by 2050 (compared to 2005). It will do so notably by promoting the interest of carriers in shifting road freight to rail/intermodal transport, as well as by preventing further modal shift of rail transport. Support is aimed at removing technical obstacles in the transition to intermodal transport and at making it more attractive. The reform has the potential to step up growth in the share of transported volumes of goods in more sustainable intermodal freight transport.</p> <p>Milestone C3.11 consists of the implementation of two activities: the adoption of a concept note (a strategic document) for the development of intermodal transport (including the list of necessary legislative changes), and the launch of calls that would facilitate the broader use of intermodal freight transportation in Slovakia.</p> <p>The first call aims to promote newly emerging transport links in unescorted continental combined transport within the Slovak Republic and between the Slovak Republic and other EU Member States or third countries in Europe and Asia – by introducing a regular integrated train service between two or more inland intermodal terminals, including terminal and initial road distributions, or by increasing the frequency of services on an existing transport route, meaning a demonstrable increase in train and volume. The second call will allow support to be granted for the purchase of technical means of combined transport which are manipulable road semi-trailers, swap bodies, double-pack containers, innovative transport units.</p> <p>The fulfilment of reform 3 – launching calls for new support schemes based on the Concept for the Development of Intermodal Transport – is also a prerequisite for the implementation of Investment 3: The development of intermodal freight transport.</p> <p>The implementation of the reform had a completion date by 31 December 2022.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled. ii. Copy of the Intermodal Transport Development Concept, approved and published by the Ministry of Transport and Slovak Government, on 6 April 2022. iii. Copy of Call No. 03I03-29-V01 New routes in the system of unaccompanied continental combined transport, published by Ministry of Transport on 17 January 2023. iv. Copy of Call No. 03I03-29-V02, Purchase of new intermodal transport units, published by Ministry of Transport, published by the Ministry of Transport on 17 January 2023. | |

The authorities also provided:

- v. **Information on the published calls, supporting documents and forms** that applicants needed to submit for each call.

Analysis:

The justification and substantiating evidence provided by the Slovak authorities covers all constitutive elements of the milestone. In particular:

Concept of intermodal transport development (including the list of necessary legislative changes) by 31 December 2022.

The Slovak government approved the Concept of Intermodal Transport Development on 6 April 2022. The Slovak authorities have provided a link to the website of the Ministry of Transportation where the document is officially published (evidence No. II). Furthermore, Slovakia has also provided a link to the website detailing the legislative process as part of the evidence.

The Council Implementing Decision required that the Concept of intermodal transport is to be approved by the Slovak Government by 31 December 2022. The Slovak Government adopted the Concept on 6 April 2023. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the Concept was adopted at the time of the assessment.

The concept delineates how the Slovak government intends to support increased inter-modality through procurement (including the launch of two calls within this milestone), the coordination of logistics and promoting the launch of new intermodal routes.

The Concept maps out the current state of play on intermodal transition in Slovakia, and several EU Member States, which Slovakia uses as comparative case studies. It also analyses the available support and investment options that can help increase the share of intermodal transport.

In terms of the provision of proposals for legislative amendments to promote the development of environmentally friendly modes of freight transport, Slovakia provides two legislative avenues on pages 54 and 55 of the Concept. The two proposals are an amendment to Act No. 514/2009 on rail transport and Act No. 338/2009 on inland navigation in the form of an increase in the percentage of the subsidy to assist entrepreneurs operating in combined support so that the maximum support for the development of intermodal transport is equal to the level of support normally provided in other countries in the European Union, such as from the current 30 % to 49 % for the promotion of a regular intermodal service and from the current 15 % to 30 % for the purchase of new intermodal transport units.

The description of reform 3 of the Council implementing decision requires that the concept promotes the interest of carriers in shifting road freight to rail/intermodal transport, as well as by preventing further modal shift of rail transport and that the support has to be aimed at removing technical obstacles in the transition to intermodal transport and at making it more attractive.

Regarding the interest of carriers in shifting road freight to rail and intermodal transport, the Concept conducts a detailed assessment of the status quo, especially considering that Slovakia is considerably below the European Union average of intermodal transport. The assessment analyses the existing intermodal terminals in Slovakia, their operation and future potential of these

terminals, the bottleneck of intermodal and combined transport in Slovakia. The analysis depicts in detail the companies involved and provides a sufficient summary/background information on the current state of play of the corporate operations in the Slovak freight transport.

As evidenced by the Concept (pages 51-72), Slovakia seeks to incentivise the modal shift to freight transport and intermodal transport through support schemes, which would fall into a number of categories: one-off support that will ensure the acceleration of performances (and is based on funding from Investment 3 of Component 3 of the Slovak recovery and resilience plan); “regular” support to be implemented by the State on a permanent basis by year 2030 (the post-2030 period will be predicted by an updated Blueprint for Intermodal Development transport in 2029) based on a partial implementation approach of the objectives of the Commission’s White Paper; and regular support for single wagons units based on an approach retention of the transport of the substrate on the railway.

The availability of support schemes for the shift to rail transport helps provide an attractive business environment for operators. Importantly, the support schemes do not solely focus on one-time support of Investment 3 of Component 3.

Launch of calls by the Ministry of Transport by 31 December 2022 that would facilitate the broader use of intermodal freight transportation in Slovakia, helping to improve the availability of intermodal transport on a non-discriminatory basis, paving the way for its development in all regions of Slovakia.

As required by the milestone, Slovakia launched two calls which would facilitate the broader use of intermodal freight transport.

Slovakia provided the hyperlinks of the calls launched by the Ministry of Transport. The hyperlinks lead to the Ministry of Transport website where all the relevant information can be found, including the notices of the call (evidence 3 and 4). In line with the Council Implementing Decision, the calls facilitate the promotion of new rail transport links and procurement of new infrastructure, vehicles, containers, and transport units. In particular:

Call for new routes in the system unaccompanied Continental Combined Transport

The call, as evidenced by the document of the published call No. 03I03-29-V01, aims to promote newly emerging transport links in continental combined transport within the Slovak Republic and between the Slovak Republic and other countries of the European Union and third countries of Europe and Asia – by introducing a regular integrated train service between two or more inland intermodal terminals, including terminal and initial road distributions, or increasing the frequency of services on an existing transport route as per paragraph 3.1 of the call.). According to the notice of the call, the total value of the call was estimated at EUR 9 million, which could finance up to 49% of the total of a given project.

The Council Implementing Decision required that the call is to be published by 31 December 2022. As the copy of call No. 03I03-29-V01 indicates, the Ministry of Transport published the call on 17 January 2023. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the call was available at the time of the assessment.

Call for the purchase new intermodal transport units

The second call, as evidenced by the document published call No. 03I03-29-V02, aims to enable

the purchase of technical means of combined transport, such as manipulable road semi-trailers, double-pack containers, innovative transport units, etc.

The Council Implementing Decision required that the call is to be published by 31 December 2022. As the copy of call No. 03103-29-V02 indicates, the Ministry of Transport published the call on 17 January 2023. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the call was available at the time of the assessment.

According to the notice of the call published on the relevant website, the total value of the call was estimated at EUR 7.13 million, which could finance up to 30% of the total costs of each project. In this call, intermodal operators, freight carriers as well as railway and transport companies operating on roads/highways were eligible to apply. Just as in the case of the previous call, the submitted project proposals were assessed through a points-based system by a committee appointed by the Ministry of Transportation, as evidenced by chapter 4 of the call.

Calls were launched on a non-discriminatory basis

The summary document, notices of the call, and supporting documentation in annex sufficiently prove that the calls have taken place in a non-discriminatory manner through points system, and both with the aim of increasing the share of intermodal transportation across the country.

In particular, the notices of calls show that the submitted project proposals were assessed through a points-based system by a committee appointed by the Ministry of Transportation, as evidenced by chapter 4 of the calls. The criteria differ in relation to the respective calls in line with the goals of the calls, with both calls also including a criterion of credibility and viability of the project. The submitted projects under the respective calls had to achieve at least 60 points in the respective assessments.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C3.M13 | Related measure: SK-C[C3]-R[R4]: The introduction of new policies for the long-term promotion of alternative fuels in the transport sector |
| Name of the Milestone: A new package of measures to promote alternative propulsions | |
| Qualitative Indicator: Entry into force of resolution to promote alternative propulsions | Time: Q4 2022 |
| <p>Context:</p> <p>The aim of this reform is to introduce new policies and legislative measures for the long-term promotion of alternative transport. The reform seeks to support the entry into force, by 31 December 2022, of new legislative measures to reform distribution tariffs, simplify and accelerate the process of constructing alternative propulsion infrastructure. The reform is required to introduce a ‘Recharging Point Rights’ and a stable, predictable multi-annual framework to support the construction of relevant alternative propulsion infrastructure and the uptake of zero-emission road transport, focusing on the adoption of a resolution (or an action plan) that includes various measures to support the uptake of alternative mobility, as well the entry into force of legislative proposals based on detailed in the government resolution.</p> <p>Milestone C3.13 consists in speeding up the development of alternative propulsions in transport through a reform of distribution tariffs; measures to simplify and accelerate the process of constructing alternative propulsion infrastructure; introduction of ‘Recharging Point Rights’; and the introduction of a stable, predictable multi-annual framework to support the construction of relevant alternative propulsion infrastructure.</p> <p>Milestone C3.13 is the only milestone for this reform.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in its description and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled. ii. Copy of Resolution of the Slovak Government No. 306/2023 from 12 June 2023, adopting the Action Plan and setting timelines for completion of measures by respective ministries and authorities. iii. Action plan of the Slovak Government for the development of electromobility, which introduces ‘Recharging Point Rights’ and a stable, predictable multi-annual framework to support the construction of relevant alternative propulsion infrastructure and containing timelines for implementation of the said measures, adopted on 12 June 2023. iv. Copy of Decree 477/2021 of the Office for the Regulation of Network Industries No. 18/2017 laying down price regulation in the electricity sector and certain conditions for the exercise of regulated activities in the electricity sector, as amended, adopted on 9 December 2021 and entry into force on 15 December 2021. v. Copy of Decree 246/2023 of the Office for the Regulation of Network Industries No. 18/2017 laying down price regulation in the electricity sector and certain conditions for the exercise of regulated activities in the electricity sector, adopted on 14 June 2023. | |

- vi. **Copy of Construction Act No. 201/2022** adopted on 27 April 2022 and entry into force on 1 April 2024
- vii. **Document issued by Ministry of Economy and the National Coordinating and Implementing Authority of Slovakia** confirming adoption of a number of measures set out in the Action Plan.

The authorities also provided:

- viii. **Copy of the Buildings Act No. 195/2023**, supplementing Act No. 50/1976 Coll. on spatial planning and building regulations (Building Act) as amended and amending some laws, adopted on 9 May 2023.
- ix. **Copy of the Act No. 59/2023 amending Act No. 145/1995 Coll. on administrative fees** as amended and on amendments to certain laws, adopted on 17 February 2023.

Analysis:

The justification and substantiating evidence provided by the Slovak authorities covers all constitutive elements of the milestone. In particular:

The entry into force of a resolution to promote alternative propulsion.

Slovak Government adopted on 12 June 2023 the Resolution of the Slovak Government No. 306/2023. The Resolution adopts the Action Plan (see below) and sets out timelines for completion of specific measures by respective ministries and authorities. The resolution's entry into force matches the time of adoption by the Government.

The measures shall speed up the development of alternative propulsions in transport.

Slovakia has presented an Action Plan for electromobility, adopted on 12 June 2023 through the Resolution of the Slovak Government No. 306/2023, adopting the Action Plan and setting timelines for completion of specific measures by respective ministries and authorities.

The goal of the Action Plan for electromobility is primarily to support the deployment battery electric charging stations and zero-emission vehicles, thus accelerating the development of alternative propulsion in transport in Slovakia. The Action Plan sets out three categories of measures, namely financial, legislative, and ancillary measures as means of speeding up the development of alternatively fuelled transport.

In terms of financial measures, the Action Plan sets out measures for the deployment plans for national network of ultra-fast charging points (measure A1), financial measure for building DC and AC charging infrastructure (measure A2), measures supporting the uptake of the alternatively fuelled vehicles in public transport and for companies (Measures A3 and A5), and for the deployment of battery and storage systems (measure A4).

Meanwhile, the legislative measures presented by the Action Plan seek to accelerate the uptake of batter electric vehicles and stations, namely through a measure adjusting distribution tariffs and a measure to ensure sufficient distribution capacity for the development of the charging infrastructure (measures B1 and B2), a measure introducing the right to a charging point (right to charge) (B3), rules for an accounting for charging company vehicles (B4), support in the field of taxation by decreasing the tax and levy burden for battery electric and hybrid vehicles as part of

an in-kind benefits scheme (B5), introduction of the "polluter pays" principle through aligning the registration fees for new vehicles with their pollutant emission levels (B6), a measure to simplify and accelerate of the infrastructure construction process (B7), new fire safety rules that increase the safety of the operation of electric vehicles (B8), and lastly measure B9 which limits the benefits of green vehicles registration plate (such as parking priority) only for zero-emission vehicles.

As to the last category, there are two measures that provide ancillary support for the development of alternative fuels propulsion. First, measure C1 linked to the collection and publication of infrastructure data, in line the with the Alternative Fuels Infrastructure Regulation, which would give clarity to customers and help provide data on the requirements of the charging stations. Second, measure C2 seeks to promote the increase of human resources capacities in the battery-electric automotive industry by giving support to academic programmes of certain Slovak universities, the setting up of educational centre and financial support for educational modules.

The aim of the Action Plan, and the timeline set out in the Government Resolution to responsible ministries and authorities, is for all measures and their respective aims to be reached within the timeframe of 2022-2026, with some of the legislative measures such as the distribution tariffs reform, the measure to ensure sufficient distribution, and the new rules on polluter pays already having been adopted and having entered into force before the submission of the payment request. Financial measures such as A1 and A2, and A4 have also started as part of fulfilling investment milestones of component 3 of the Slovak RRP.

As evidenced by the measures above, while the Action Plan on electromobility provides more in-depth support for battery-electric vehicles and their respective charging infrastructure as one type of alternative propulsion, hydrogen-fuelled mobility is also an alternative type of propulsion with zero-emissions, as per the EU Alternative Fuels Infrastructure Regulation. The Action Plan on electromobility does not particularly tackle hydrogen-fuelled mobility outside of measures B5 and B9. This is justified in the summary note, as Slovakia chose to adopt dedicated Action Plan for hydrogen to respond to complexities of the hydrogen value chain, which was adopted on the same day as the Action Plan on electromobility. This justification is acceptable and appropriate considering the complexities and differences between the two different type of alternative fuels mobility.

The measures shall include a reform of distribution tariffs.

New legislative measures, which reform distribution tariffs, were adopted and entered into force by 31 December 2022. As evidenced by the Action Plan and the document confirming adoption, the Slovak Government has put forward a number of measures that are designed to reform distribution tariffs. The measures which are binding legal acts of the Office for the Regulation of Network Industries were published in the Slovak Official Journal. The adopted measures are as follows:

- Measure B1 of the Action Plan (Adjustment of distribution tariffs)
 - The legislative measure requirement was fulfilled by Decree 477/2021 has been implemented as of 15 December 2021 by publishing the revising Decree No. 18/2017 of the Office for the Regulation of Network Industries laying down price regulation in the electricity sector and certain conditions for the exercise of regulated activities in the electricity sector, as amended.
 - In particular, Decree 477/2021 changes Article 26 par. 7, Article 26 par. 8, Article 26 par. 40 - 43, Article 31 and Article 34 of the original Decree 18/2017. This has

resulted in the creation of specific distribution tariff for households and companies charging electric vehicles, as well as single-component distribution tariff for connecting higher power output chargers at charging stations. This distribution structure has been maintained in the recent Decree 246/2023 (see below).

- Measure B2 of the Action Plan (Ensure sufficient distribution system capacity for the development of recharging infrastructure)
 - Revision of the Decree No. 18/2017 Coll. through Decree 246/2023, also provides an incentive in the context of a price regulation procedure, in the form of an increased value of the rate of return of the regulated asset base by 2 %, the so-called WACC+, which covers, inter alia, approved investments in assets used to connect electricity storage facilities and to charge electric vehicles – Article 5(d)(2).
 - The entry into force took place on 1 July 2023.

The measures shall include measures to simplify and accelerate the process of constructing alternative fuels infrastructure.

For the purposes of fulfilment of this constitutive element of the milestone, Slovakia provides a copy of the Construction Act No. 201/2022 as evidence.

The new Construction Act No. 201/2022 was adopted on 27 April 2022 and enters into force as of 1 April 2024. This law simplifies the administrative process for the construction of charging infrastructure, notably through point 2(k) of Annex 2 of the Act stating that "charging stations for electric cars with a power of up to 25 kW" are minor constructions, which, in accordance with Article 47(a) of the Act, required only notification. As per the evidence submitted by the Action Plan, Slovakia expects that this change will result in considerable reduction of administrative burden for municipalities by removing previously onerous territorial proceedings, thus speeding up the permitting process.

The measures shall include the introduction of a 'Recharging Point Rights'.

The milestone in the Council Implementation is further specified in the Operational Arrangements, which requires that measures to introduce 'Recharging Point Rights' shall be understood as 'entry into force of a resolution of the Government establishing 'Recharging Point Rights'... containing timelines for implementation of the said measures".

Based on the wording of the Operational Arrangements, the term "introduction" should be understood as the introduction of the measure in the Action Plan rather than an implementation of the right in Slovak legislation at the time of the payment request.

Consequently, this constitutive element of the milestone and further specification requirement Operational Arrangements is fulfilled through the Resolution of the Slovak Government No. 306/2023, which adopts the Action Plan and sets out timelines for each measure, as well as the Ministry and Authority responsible for its adoption and execution.

As evidenced by Measure B3 of the Action Plan (page 26), the "Recharging Point Rights" is included a measure with a clear timeline for completion by 30 June 2024. Additionally, as evidenced by the Action Plan and the summary document, the Ministry of the Economy, in cooperation with the Ministry of Finance and the Ministry of Justice of the Slovak Republic, has

been tasked with finding the appropriate legal vehicle and submitting a proposal which includes the right to a recharging point in Slovak legislation in accordance with the measure.

More specifically, measure B3 of the Action Plan identifies the “Right to Recharge” as: “a right based on the premise that any interested party should have access to the recharging infrastructure. The exercise of this right also means simplifying the installation of recharging points not only in buildings with single or shared ownership, but also in buildings divided into apartments and non-residential areas (such as multi-apartment buildings).

The measures shall include the introduction of a stable, predictable multi-annual framework to support the construction of relevant alternative propulsion infrastructure.

The milestone in the Council Implementation is further specified in the Operational Arrangements, which requires that “measures to introduce ... a stable, predictable multi-annual framework to support the construction of relevant alternative propulsion infrastructure shall be understood as ‘entry into force of a resolution of the Government establishing ... a stable, predictable multi-annual framework to support the construction of relevant alternative propulsion infrastructure and containing timelines for implementation of the said measures.’”

Based on the wording of the Operational Arrangements, the term “introduction” should be understood as the introduction of the measure in the Action Plan rather than an implementation of the framework to support the construction of relevant alternative propulsion infrastructure in Slovak legislation at the time of the payment request.

This constitutive element of the milestone and further specification requirement in the Operational Arrangements is fulfilled through the Resolution of the Slovak Government No. 306/2023 which adopts the Action Plan, which also sets out timelines for each measure of the Action Plan.

The Action Plan includes numerous measures which help introduce stable, predictable multi-annual framework to support the construction of relevant alternative propulsion infrastructure. The following measures are currently planned as per the Action Plan and the Resolution of the Slovak Government No. 306/2023 and going to create a stable and multi-annual financial framework for deployment of charging infrastructure:

- Measure A1 of the Action Plan: National ultrafast charging point network (UFC)
 - This measure will provide funding for the development of a national skeleton network of UFC stations alongside motorways and expressways on the TEN-T network (min. 228 recharging points), which is fully interoperable and accessible to all customers on the basis of international roaming platforms. The built UFC network should also include 1-2 pilot sites, in urban nodes, equipped with heavy-duty vehicle charging technology.
 - Completion by 31 December 2026.
- Measure A2 of the Action Plan: Financial measure for the construction of recharging infrastructure
 - This measure will provide funding for the deployment 2600 public AC charging points and 500 public DC charging points, as well as 2000 private wall boxes.
 - Completion by 31 December 2026.
- Measure A4 of the Action Plan: Financial measure for battery systems/storage
 - Supporting the construction of an indicative 43 MWh of installed capacity of battery systems. The construction of battery storage sites will take place at the

locations of the greatest fluctuations in the energy system. New storage sites can also be used for high-speed recharging of electric vehicles during peak hours, especially in locations that do not provide sufficient reserved capacity due to technical reasons, in particular on rest areas along the TEN-T corridors.

- Completion by 31 December 2026.
- Measure C1 of the Action Plan: Alignment on collection on publication of data about infrastructure
 - In line with the EU's Alternative Fuels Infrastructure Regulation.
 - Implementation by 31 December 2024.

The Action Plan also sets out measures that will indirectly support the uptake of alternative fuels infrastructure, measures supporting the uptake of the vehicles themselves (Measures A3 and A5) and by companies of such vehicles (Measure B4 and B5), and the implementation of the polluter pays principle (Measure B6).

Furthermore, in line with the description of the measure, **the reform shall be supported through the entry into force, by 31 December 2022 of new legislative measures that shall reform distribution tariffs, simplify and accelerate the process of constructing alternative propulsion infrastructure.**

The requirement of the entry into force of a reform of distribution tariffs was fulfilled through Decree 477/2021 of the Office for the Regulation of Network Industries No. 18/2017 laying down price regulation in the electricity sector and certain conditions for the exercise of regulated activities in the electricity sector, as amended, which was adopted on 9 December 2021 and entered into force on 15 December 2021.

The Council Implementing Decision requires that the measure to simplify and accelerate the process of constructing alternative fuels infrastructure enters into force by 31 December 2022. While the adoption of such measure has been achieved before 31 December 2022, it will enter into force on 1 April 2024. Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay between the adoption of this law and the actual entry into force of the provisions is considered both limited and proportional, notably as the measure comes as part of the new Construction Act, which requires implementing steps such as the setting up of new administrative processes and electronic registration framework processes for construction of all buildings and other types of installations in Slovakia, as well as changes in administrative procedures and reduction of administrative burden, and transfer of competences from municipal to centralised authorities. Moreover, there is certainty of application of the respective measures on construction of alternative fuels infrastructure due to its inclusion in the Construction Act and the beginning of legal effects has taken place. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C4.M2 | Related measure: SK-C[C4]-R[R2]: Adoption of the competitive scheme for reduction of greenhouse gas emissions in industry | |
| Name of the Milestone: Adoption of the industrial decarbonisation scheme | | |
| Qualitative Indicator: Adoption of the industrial decarbonisation scheme by the Ministry of Environment | Time: Q4 2022 | |
| <p>Context:</p> <p>The objective of this reform is to reduce greenhouse gas emissions in Slovakia through adoption of the competitive scheme for reduction of greenhouse gas emissions in industry.</p> <p>Milestone C4.M2 concerns the adoption of the industrial decarbonisation scheme open to all industrial sectors by the Ministry of Environment of the Slovak Republic. The scheme is required to support the uptake of the best currently available technologies in industrial processes. The support is required to target low carbon processes and technologies in industry and the adoption of energy efficiency measures.</p> <p>Milestone C4.M2 is the only milestone of reform C4.R2. The reform is expected to contribute to the implementation of investment 1 (Completion of implementation of the industry decarbonisation scheme projects co-financed by the RRF). This investment is expected to be implemented by 30 June 2026.</p> | | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including the relevant elements of the milestone, as listed in its description and of the corresponding measure in the Council Implementing Decision annex) was satisfactorily fulfilled. ii. Annex 8 - Copy of the procurement call for participation in the competitive scheme for funding from the Recovery and Resilience Facility aimed at supporting the decarbonisation of industry and a copy of the publication by the Ministry of Environment (No. 04I01-18-V01, from 25 November 2022). Details including annexes available on its website https://www.minzp.sk/poo/vyzva-dekarbonizaciu-priemyslu.html. iii. Annex 7 - Copy of the document for the Minister of Environment (<i>Informácia pre ministra životného prostredia</i>) providing evidence that the adoption act of the procurement call for funding from Recovery and Resilience Facility aimed at supporting the decarbonisation of industry (No. 68190/2022) was duly signed by the Minister of Environment on 25 November 2022. iv. Annex 10 - Information for the Commission on the baseline scenarios as well as the projected impacts of the supported technologies, following the selection of the projects, as presented in Annex 10 to the summary document. <p>The authorities also provided:</p> <ol style="list-style-type: none"> v. Annex 1 - Copy of the letter signed by the Minister of Environment of the Slovak Republic addressed to the Slovak Antimonopoly Office (No. 5998/2022 – 3.2, 28154/2022, from 26 May 2022) requesting to initiate a notification procedure to the | | |

- European Commission, aimed at assessing a State aid of two industry decarbonisation schemes (funded by the Modernisation Fund and the RRF).
- vi. Annex 2 - **Copy of the print-screen from the approval process of launching the scheme's notification to the Slovak Antimonopoly Office**, e-signed by the Minister of Environment of the Slovak Republic in the internal registry of the Ministry of Environment of the Slovak Republic on 26 May 2022 (No. 28154/2022, only in Slovak).
 - vii. Annex 3 – **Copy of the decision by the European Commission of 10 October 2022 on the State aid scheme for decarbonisation of industry financed by the RRF** (SA.102385, 2022/N) and on the State aid scheme for decarbonisation of industry financed by from Modernisation Fund (SA.102388, 2022/N) – No. C(2022) 7250 final.
 - viii. Annex 4 - **Copy of the State aid scheme for decarbonisation of industry** from the Recovery and Resilience Plan adopted the Ministry of Environment of the Slovak Republic in October 2024 and published in the Commercial Journal of the Ministry of Justice of the Slovak Republic No. 204/2022 on 24 October 2022 (linked at <https://www.minzp.sk/poo/vyzvy-priame-vyzvania.html>).
 - ix. Annex 5 - **Copy of the request from the Ministry of Environment of the Slovak Republic to the Office of the Government for a binding opinion** on the draft procurement call for applications for funding from the Recovery and Resilience Facility related to the industry decarbonisation scheme (No. 67996/2022/2022 2606/2022-1.8, from 24 November 2022)
 - x. Annex 6 - **Copy of the binding opinion of the Office of the Government to the Ministry of Environment of the Slovak Republic on the draft procurement call** for the Recovery and Resilience Facility related to the industry decarbonisation scheme (No. 3000/2022/SPO, from 25 November 2022)
 - xi. Annex 9 – **The list of approved project proposals to the procurement call** for the Recovery and Resilience Facility related to the industry decarbonisation scheme (04I01-18-V01) issued by NICA and the Ministry of Environment. The list is not dated.

Analysis:

The justification and substantiating evidence provided by the Slovak authorities covers all constitutive elements of the milestone. In particular:

Adoption of the industrial decarbonization scheme delivering efficient results by the Ministry of Environment.

Slovakia's State aid scheme for decarbonisation financed from the Recovery and Resilience Plan by the Ministry of Environment was published in the Commercial Journal No. 204/2022 and entered into force on 24 October 2022 (Annex 4), hereinafter referred to as "state aid scheme". This was preceded by the approval of the scheme by the European Commission on 10 October 2022 (case No. SA.102385; Annex 3). The state aid scheme sets the conditions for the adoption and publication of the procurement call aimed at supporting the decarbonisation of industry on 25 November 2022 by the Ministry of Environment (hereinafter referred to as "the procurement call" – Annexes 8 and 7, respectively). The procurement call makes a clear reference (page 1) to the underlying state aid scheme "as published on 24 October 2022 in the Commercial Journal of the Ministry of Justice of the Slovak Republic No 204/2022".

The terms of the state aid scheme ensure that the adopted competitive decarbonisation scheme is set to deliver efficient results notably as article P.2 stipulates that: "Aid under this scheme will be granted exclusively through a non-discriminatory, transparent, open competitive bidding

process within the meaning of points 49 and 50 of the (CEEAG) Guidelines”. In addition, the section C of the state aid scheme (as well as section 3.1. of the procurement call) require that *ex post* adjustments to the bidding process outcome need to be avoided, as they may undermine the efficiency of the process’ outcome.

The competitive decarbonisation scheme shall be rolled out through a non-discriminatory, transparent and open bidding process, open to all industrial sectors.

The procurement scheme refers to an open bidding process (article 1.5.) and, for its definition, makes a clear link to the state aid scheme (footnote 4). The article P.2 as well as article H.2 of the state aid scheme define in more detail the competitive nature as a key requirement for the decarbonisation scheme. In particular, Article P.2 stipulates that: “Aid under this scheme will be granted exclusively through a non-discriminatory, transparent, open competitive bidding process within the meaning of points 49 and 50 of the (CEEAG) Guidelines”.

The Council Implementing Decision annex requires that the scheme is open to all industrial sectors. The adopted scheme is open to enterprises of all sizes carrying out activities in the industrial sectors within the scope of Annex 1 of the Trade Act of the Slovak Republic, which corresponds to the EU Emission Trading System (hereinafter “EU ETS”) sectors in the Slovak Republic (see article 2.2. of the procurement call). Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the deviation is acceptable because 80% of industrial emissions in the Slovak Republic are produced by companies active in sectors falling under the EU ETS sector. Furthermore, the scope covering sectors falling under the EU ETS improves the trustworthiness and comparability of the emitted emissions, which is essential to measuring the green-house gas reduction target of this milestone. As of this, this minimal deviation does not change the nature of the measure and 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 key documents related to the decarbonisation scheme have been published online, increasing transparency of the process. In particular, the Ministry of the Environment of the Slovak Republic and the National Implementation and Coordination Authority of the Slovak Republic (NICA) informed on their websites about all stages of the process, ranging from the State aid procedure to publication of results of the procurement call. The Ministry of Environment of the Slovak Republic published a dedicated webpage of the procurement call for funding from the Recovery and Resilience, including all relevant documentation (see also point ii, evidence provided).

The support shall target the low carbon processes and technologies in industry and adoption of energy efficiency measures.

The procurement call (Annex 8 of the evidence provided; section 2.7) as well as the State aid scheme (Annex 3 of the evidence provided; section H.1) directly relate the project’s eligibility to aid under the decarbonisation scheme as defined in the CEEAG (European Commission: ‘Guidelines on State aid for climate, environmental protection and energy 2022’, 2022/C 80/01, chapter 4.1). In particular, the procurement call refers “to aid to reduce or eliminate greenhouse gas emissions from industrial processes and aid aimed at improving energy efficiency”. Furthermore, measures in energy efficiency of industrial installations are eligible only if they achieve greenhouse gas emission reductions and do not incentivise or prolong the use of fossil fuels, as per section H.1d of the state aid scheme underlying the procurement call (Annex 8).

The investment policy of the industry decarbonisation scheme shall include at least the following eligibility and project selection criteria: the objective of the lowest price per tonne of the greenhouse gas saved.

The objective of the lowest price per tonne of the greenhouse gas saved is integrated as the main criterion in article 3.1 of the procurement call in Annex 8 (as well as in article P.5 of the state aid scheme in Annex 3). The projects benefiting from the aid are ranked on basis of weighting of the two core criteria: i) the lowest amount of aid requested per ton of CO₂ emissions avoided (weight of 70%), and ii) the highest contribution to the achievement of the overall CO₂ emission reduction objective of the scheme (weight of 30%). In the case where the application of the core criteria does not achieve a clear result, the article 3.1.1 of the procurement call (and P.5 of the state aid scheme) defines the additional criteria for selection of projects (time of the project delivery, reduction in air pollution).

The investment policy of the industry decarbonisation scheme shall include at least the following eligibility and project selection criteria: ensuring compliance with the EU acquis and national environmental laws, as well as the DNSH Technical Guidance (2021/C58/01) of supported activities and companies and specifying decarbonisation targets.

According to the state aid scheme, the supported projects are required to fulfil the eligibility conditions on compliance with EU and national environmental legislation (paragraph H.2). Furthermore, according to the procurement call (section 2.7, subsection i), the supported projects are required to fulfil the eligibility condition “on compliance with EU and national environmental legislation as well as with the technical guidelines of supported activities and companies and the setting of decarbonisation objectives (Technical guidance on the application of the ‘do no significant harm’ principle under the RRF Regulation (2021/C 58/01)”.

The applicant is required to demonstrate this by submitting in the application a substantive DNSH assessment comparing the proposed project with the requirements of the DNSH Technical Guidance under the RRF Regulation (2021/C 58/01). Footnote 21 also states that “Only projects that comply with the principle of ‘do no significant harm’ within the meaning of Article 5(2) of Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility will be eligible for support.” In addition, the environmental requirements of the decarbonisation scheme are further strengthened by other eligibility conditions included in the procurement call (section 27, subsections ii, iii, iv, and v respectively), including references to best available technologies, reducing GHG emissions substantially below the benchmark, requirements related to fossil fuel use and reductions in GHG emissions.

The investment policy of the industry decarbonisation scheme shall include at least the following eligibility and project selection criteria: supporting only best available technology compliant projects.

According to the procurement call (section 2.7, subsection ii), the supported projects have to fulfil the eligibility condition on compliance with the best available technology (BAT) requirements. According to the footnote 22 of the procurement call, the applicants for the support “shall submit a comparison of the proposed technology with the relevant points of the Commission Implementing Decision establishing best available techniques conclusions under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions.” Furthermore, the applicant is required to demonstrate the fulfilment of the BAT requirement as

part of the completion of the section “Project design of the construction and technology solution” in the application.

The investment policy of the industry decarbonisation scheme shall include at least the following eligibility and project selection criteria: supported EU Emission Trading Scheme installations shall reduce their GHG emissions substantially below the benchmark relevant to the project bid. The ‘substantially below benchmark’ condition shall be part of selection criteria for the procurement.

According to the procurement call (section 2.7, subsection iii) and the state aid scheme (paragraph H.2), the supported activities are required to fulfil the condition on reducing their emissions ‘substantially below benchmark’. In particular, the applicants are requested to demonstrate *“that the project emissions per unit of product are significantly below the EU ETS benchmark set out in Commission Implementing Regulation (EU) 2021/447 of 12 March 2021 determining revised benchmarks for free allocation of emission allowances for the period from 2021 to 2025 pursuant to Article 10a(2) of Directive 2003/87/EC of the European Parliament and of the Council”*. In addition, footnote 24 of the procurement call also states that *“the fulfilment of this condition will also be verified ex-post by the Implementing Body after the completion of the project. In the ex-post verification, the level achieved by the project will be compared to the same reference levels in force at the time of submission of the application”*.

The investment policy of the industry decarbonisation scheme shall include at least the following eligibility and project selection criteria: no solid fossil fuels shall be supported. The projects using natural gas as a main feedstock or energy source shall not be supported. For projects where natural gas is used to be eligible under the RRF scheme, natural gas shall not account for more than 20% of the final energy consumption of the equipment, machinery, energy generation.

According to the procurement call (section 2.7, subsection iv) as well as to the state aid scheme (paragraph H.2), the supported projects are required to fulfil the eligibility conditions on fossil fuel use. The footnote 25 aligns the scheme’s conditions with the Council Implementing Decision Annex by stating that *“no solid fossil fuels shall be supported. The projects using natural gas as a main feedstock or energy source shall not be supported. For projects where natural gas is used to be eligible under the RRF scheme, natural gas shall not account for more than 20% of the final energy consumption of the equipment, machinery, energy generation.”* Furthermore, the applicants are required to demonstrate (section 2.7, subsection (i), of the procurement call) as part of the substantive DNSH the meeting of conditions of the DNSH Technical Guidance under the RRF Regulation (2021/C 58/01).”

The investment policy of the industry decarbonisation scheme shall include at least the following eligibility and project selection criteria: the quantity of greenhouse gases emitted (in CO2 equivalent units, weighted average) of the enterprises supported by the scheme shall decrease by at least 30%. Furthermore, in line with the description of the measure, the decrease by at least 30% shall be compared to the counterfactual scenario.

According to the state aid scheme (paragraph H.2), the supported projects are required to fulfil this eligibility condition on the amount of greenhouse gases (in units of CO2 equivalent) emitted. Each project is required to demonstrate a minimum reduction of at least 30% in emissions at enterprise level when compared to a predetermined reference period. This stipulation mandates that every undertaking receiving support must achieve a reduction of at least 30% in emissions, duly considering any variations in CO2 equivalent emissions associated with processes directly

linked to the project.

According to the procurement call (section 2.7, subsection v), the supported projects are required to fulfil the eligibility condition related to reduction in the GHG emissions. It states as *“each undertaking receiving support must achieve at least a 30 % reduction in emissions, taking into account any increase/decrease in CO2 equivalent of the emissions from processes directly related to the project”*. The procurement call requests the applicants to demonstrate the amount of greenhouse gas emission reductions emitted by undertakings (in units of CO2 equivalent) by comparing the quantity of emissions of the proposed project and the reference emissions in CO2 emissions equivalent (that is to the “counterfactual scenario”). The applicants were requested (footnote 27 of the procurement call) to provide the data in the grant application on counterfactual scenario that the reference value “shall be determined on the basis of the average of the data of the last 5 verified annual greenhouse gas emissions reports from the operation of the undertaking preceding the submission of the application, with the possibility to exclude one non-representative year.”

The Slovak authorities shall provide assurances on timely data delivery for all supported projects by 30 June 2026 at the latest or they shall demonstrate that greenhouse gas emissions savings are to be delivered based on assumed parameters of supported technologies (based on certificates by producers) or the combination of both approaches. The preliminary quantification of greenhouse gas emissions reductions by the decarbonisation projects may be based on technical documents stating key parameters, consumption of energy and input materials of supported technologies.

The conditions in the procurement call (section 2.7, footnote 27) states that in line with requirements of the Council Implementing Decision, the *“Emission reductions will be monitored either on the basis of the actual amount of CO2 equivalent project-reduced emissions (based on data verified in the annual greenhouse gas emissions reports of the plant after the implementation of the project), or demonstrated through the technical parameters of the installed technologies within the project on the basis of manufacturers’ certificates, or on the basis of both approaches.”*

In Annex 10 (evidence provided), the Slovak authorities opted to present information on the greenhouse gas emissions on the basis of assumed parameters of supported technologies based on the results of the procurement call (from June 2023). According to the procurement call (section 2.7), the applicants are requested to deliver the project and technological intent related to the decarbonisation project (in addition to presenting the counterfactual scenario, the budget for counterfactual scenario and energy audit). This means that applicants must submit verified ETS emission reports and a report from an authorised energy auditor verifying the credibility of the declared emission reduction projections.

The Slovak authorities shall share with the Commission the baseline scenarios as well as the projected impact of the supported technologies, following the selection of the projects.

In Annex 10 (evidence provided), in line with requirements of the Council Implementing Decision Annex and following the selection of three projects (results of the procurement call from June 2023), the Slovak authorities presented to the Commission information on projected impact of the supported technologies. This includes information both on i) baseline scenarios as well as on ii) on the greenhouse gas emissions savings to be delivered by individual projects. As noted above, the baseline scenarios were determined through calculation of reference values *“on the basis of the average of the data of the last 5 verified annual greenhouse gas emissions reports*

from the operation of the undertaking preceding the submission of the application, with the possibility to exclude one non-representative year” (section 2.7 of the procurement call, footnote 27). The projected impact of the supported technologies for three selected projects under the decarbonisation scheme is as follows (Annex 10):

- i) ‘Decarbonising production in Wienerberger- Zlaté Moravce will achieve a reduction in emissions of 8 434, 47 (tonnes of CO2 equivalent/year), representing a decrease in CO2 equivalent emissions of 64.91 %, based on the data included in the application.*
- ii) The project ‘Decarbonising steel production by installing electric arc furnaces’, submitted by U.S.Steel Košice, plans a reduction in emissions of 2 966 993,50 (tonnes of CO2 equivalent/year), which represents a 34.00 % reduction in CO2 emissions equivalent, based on the data included in the application.*
- iii) The project ‘Decarbonisation of grey cement Turňa nad Bodvou’ will reduce emissions by 123 278, 25 tonnes of CO2 equivalent/year, representing a decrease in CO2 equivalent emissions of 30.19 %, based on the data included in the application.*

Overall, the three selected undertakings are projected to deliver the overall reductions of 3 098 706 CO2 equivalent /year. This exceeds, by a large margin, the overall objective set out under the milestone C4.M3 (Investment 1: Completion of implementation of the industry decarbonisation scheme projects co-financed by the RRF) to reduce the greenhouse gas emissions by at least 1 232 926 tonnes of CO2 equivalent by 30 June 2026.

Furthermore, in line with the description of the measure, **the implementation of the reform shall be completed by 31 December 2022.**

The procurement call for participation in the competitive scheme for funding from the Recovery and Resilience Facility aimed at supporting the decarbonisation of industry was adopted on 25 November 2022 (evidence provided – Annex 7 and Annex 8, respectively).

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C5.M2 | Related measure: SK-C[C5]-R[R2]: Nature protection and water management |
| Name of the Milestone: More effective application of nature protection measures in landscapes in protected areas and the revitalization of watercourses | |
| Qualitative Indicator: Entry into force of the amended Nature and Landscape Protection Act and water legislation | Time: Q4 2022 |
| <p>Context:</p> <p>The reform aims to improve the state of nature protection in protected areas in a manner that guarantees their contribution to landscape protection to enhance climate change resilience and adaptation. The second aim of the reform is to improve the state of water management by allowing watercourses to be revitalised, restored, and allowed to be managed in an ecological manner. To achieve these aims, the reform amends legislations for nature protection and water management.</p> <p>Milestone C5.M2 consists of five points: i) adoption of amendment to the Nature Protection Act with entry into force in January 2022; ii) development of a proposal for a new model for the functioning of protected areas, developed by 31 December 2022; iii) amendment of the Water Act by 31 December 2022; iv) drawing up a new water policy concept by 31 December 2022; v) setting up technical standards which will allow watercourses to be revitalised in a way that maximizes water retention in the country, slowing off water outflows and restoring groundwater reserves. In addition, the water management reform in the country is required to pave the way for the revitalization of watercourses, thus increasing flood protection in the country.</p> <p>Milestone C5.M2 is the only milestone of this reform.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including the constitutive elements) was satisfactorily fulfilled. ii. Act No. 6/2022 amending Act No. 543/2002 Coll. on nature and landscape protection, also available at https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2022/6/, adopted on 14 December 2021. iii. Act No. 74/2023 amending Act No. 364/2004 on water and amending Slovak National Council Act No. 372/1990 on infringements as amended (Water Act), published at https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2023/74/, adopted on 17 February 2023. iv. Concept for the Water Policy of the Slovak Republic up to 2030 (with a 2050 outlook), published by the Ministry of Environment at https://www.minzp.sk/files/sekcia-vod/kvps2030_web.pdf, adopted by the Slovak Government on 1 June 2022. v. New Model of Operation of Protected Areas: National parks for the 21st century, published by the Ministry of Environment at https://www.minzp.sk/files/iep/narodne_parky_pre_21_stor.pdf, published in August 2022. vi. Methodological Manual of Procedures for the Revitalisation of Watercourses (Produced by the Water Research Institute, 2023) published by the Ministry of Environment at: https://www.minzp.sk/poo/aktuality/metodicka-prirucka-postupov-revitalizacie-vodnych | |

tokov.html , published in June 2023.

- vii. **Updated Technical Standard STN EN 14614 on Water quality** - Guidance standard for assessing the hydromorphological features of rivers.

The authorities also provided:

- viii. **Water Plan of the Slovak Republic-Danube River Basin** published at <https://www.minzp.sk/voda/vodny-plan-slovenska/>.
- ix. **Water Plan of the Slovak Republic- Vistula Basin** published at <https://www.minzp.sk/voda/vodny-plan-slovenska/>
- x. **Explanatory Memorandum** to the revision of Act No. 543/2002 Coll. on nature and landscape protection, as amended and amending certain acts, published at <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=496024>
- xi. **Explanatory Memorandum** to the revision of Act No. 364/2004 on water and amending Slovak National Council Act No. 372/1990 on infringements, as amended (Water Act), as amended, published at <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=518468>

Analysis:

The justification and substantiating evidence provided by Slovak authorities covers all constitutive elements of the milestone. In particular:

The amendment to the Nature Protection Act shall enter into force in January 2022.

The Nature Protection Act was amended by Act No. 6/2022 amending Act No. 543/2002 Coll. on nature and landscape protection, as amended, and amending certain acts. Act No. 6/2022 was adopted on 14 December 2021. The revised law entered into force on 15 January 2022 (as per Article 7 of the Act), whereas Articles 2 and 6 entered into force on 1 April 2022.

Furthermore, in line with the description of the measure in the Council Implementing Decision, **the legislation shall strengthen the institutional protection of nature, it shall minimise conflicts of competence within protected areas, simplify the protection system, integrate the networks of protected areas (national, European and international) and create the conditions for the zoning of national parks.**

As evidenced by Act No. 6/2022 amending Act No. 543/2002, the resulting legal framework strengthens the institutional protection of nature, it minimises conflicts of competence within protected areas, simplifies the protection system, integrates the networks of protected areas (national, European and international) and creates the conditions for the zoning of national parks.

- i. **The legislation shall strengthen the institutional protection of nature.**

Act No. 6/2022 through Article 1(8) amended Act No. 543/2002 by establishing of national park administrations since 1 April 2022 (a total of 9 national park reports). The amended Act No. 543/2002 now provides national park administrations with legal personality, allowing the management of state-owned land in the territory of the national parks to be transferred from organisations belonging to the Ministry of Agriculture and Rural Development of the Slovak Republic to organisations belonging to the Ministry of Environment of the Slovak Republic. This results in a change in the management of individual national park where administrations manage

all state-owned lands within the area of individual national parks.

The transition of land management to the management of the national parks is linked to the preparedness of zoning in the different territories, which will identify areas that are purely free of intervention and where specific activities can be carried out.

ii. The legislation shall minimise conflicts of competence within protected areas.

Article 1(9) of Act No. 6/2022 introduces a new Article 104i to the Act No. 543/2002, creating conditions for the transfer of management of state-owned land and property within the territory of national parks to the newly established administration bodies of the national parks, in order to help minimise conflicts of competence.

Article 104i specifically regulates the transfer of management from the State Nature Protection Organization of the Slovak Republic (Article 104i section 1) and the Slovak Land Fund (Article 104i section 6) to the administration bodies of the national parks, namely all property required for administrative functions of the parks. As per section 6, this managerial transfer was completed by 1 April 2022.

Additionally, the new Article 104i (sections 2-4) also resolves another competence issue, as it also provides for managerial transfer of land from other state-owned organisations, namely the State Forests organisations of national parks in Vysoké Tatry, Pieniny, and Slovenský Raj. These organisations are under the management of the Ministry of Agriculture and Rural Development. Sections 2-4 of the Act resulted in all state-owned land in National Parks Vysoké Tatry, Pieniny, and Slovenský Raj that were managed by the State Forests organisations to be transferred into the respective administrative bodies of these National Parks. As per Article 104i (sections 2-4), these managerial transfers were completed by 1 April 2022.

Turning to the managerial transfers of state-owned land in other National Parks, Article 104i foresees two avenues. First, for the areas of National Parks in the highest level of protection (levels 4 and 5), Article 104i section 5 sets out that state owned lands in such areas of protection will be managerially transferred from to the administrations of National Parks will occur on 1 April 2022. Second, as per Article 104i section 6, the finalisation of managerial transfer of state property in national parks in protection areas which are not in the highest level of protection will occur after 3 months period following the approval by the Government of zonation of the given national park.

As evidenced by the summary document, there have been approved zonings for the following national parks: National Park Slovenský raj, National Park Pieniny, National Park Muránska planina. The zonation of National Park Slovenský kras and National Park Veľká Fatra was adopted in September 2023, however the three months period required by Article 104i section 6 has not yet passed for these parks. Therefore, in line of sections 5 and 6 of Article 104i, the managerial transfers of state property have occurred or is about to occur in the above stated parks.

Based on the above, the law provides the conditions for minimising conflicts of competence through managerial transfers of land in National Parks, which in most National Parks have already taken place or are under way. These managerial transfers will reduce jurisdictional conflicts that were often present in these areas. Following the revision of the law, decisions regarding nature and landscape protection and forestry activities in national parks are made at the level of sole institutions responsible for the respective national parks, and not by multiple state-managed

organisations controlled by different ministries with different goals.

iii. The legislation shall simplify the protection system.

Article 1(9) of Act No. 6/2022 introduces a new Article 65b to the Act No. 543/2002, in order to simplify the system of protection. Section 2 of Article 65b stipulates that "[t]he administration body of the national park is a professional organization for the protection of nature and landscape, which ensures tasks in the field of nature and landscape protection within the territory of the national park and its protective zone, as well as in other territories defined in the decision of the ministry establishing the territorial jurisdiction of the administration body of the national park. The administration body of the national park is a contributory organization under the founding authority of the ministry."

Additionally, in line with section 5 of Article 65b of the Act No. 543/2002, "The administration body of the national park manages state-owned land, including shares in state-owned land and common real estate located in whole or in part in the national park, as well as other real estate and property that it has acquired in alignment with Article 104i of the Act No. 543/2002", is introduced by the Amendment Act No. 6/2022, Article 1(9).

The previous protection system relied on different entities with differing interests, namely the organisations such as the State Nature Protection Organization of the Slovak Republic, State Forests, State Land Fund, which are managed by different ministries with varying interests. Following the amendment, the system of the protection is simplified, given that the management of land and property as well as tasks related to nature and landscape protection in national parks are carried out by unified administration bodies under the founding authorities that are accountable to the Ministry of Environment.

iv. The legislation shall integrate the networks of protected areas (national, European and international).

Articles 1(8) and 1(9) of Act No. 6/2022 introduced the new Article 65b and Article 104i in the Act No. 543/2002, resulting in managerial transfer and strengthened protection of national parks, thus in integration of protected networks in Slovakia.

While Natura 2000 protection areas and Slovak national parks generally align, this had not resulted in equivalent levels of protection due to fragmented management of state-owned lands before the entry into force of Act No. 6/2022.

Prior to the reform, much of state-owned lands that had been split up in different state organisation, with many areas previously under the management of State Forests organisations controlled by the Ministry of Agriculture. As explained by the summary document, these areas did not ensure the level of protection that were required by the Natura 2000 network areas.

With the full and ongoing transfers of management (as per Article 104i) to the administrative bodies of national parks set up by Article 65b of the Act, the level of protection has been strengthened, as the administrative bodies of natural parks are accountable to the Ministry of Environment with the main goal of protecting the environment. This has resulted in strengthening of the Natura 2000 areas, due to the mutual overlap of the areas as well as overlap with the areas of the European importance and protected bird areas now also being protected by sole organisations responsible for the well-being of national parks.

v. The legislation shall create the conditions for the zoning of national parks.

Article 1(9) of Act No. 6/2022 introduces Articles 65b and 104i in the Act No. 543/2002 provides conditions facilitates zoning of national parks.

First, with the creation of national park administrations bodies under Article 65b, there are stronger conditions to proceed with zoning, as there are less state-owned organisations with widely differing priorities (forestry and logging under Ministry of Agriculture's vs environmental protection aim under Ministry of Environment) that can interfere with the process of zonation. Instead, the national park administrations as the main administrators of the state-owned lands thanks to Article 104i can proceed with starting and finalising zoning in areas.

Second, the managerial transfers of state-owned lands into new administrative bodies as per Article 104i is a starting condition for many zoning processes, as it transferred all the most protected land (in protection levels 4 and 5) into the respective national park administrations, while in the case of National Parks Vysoké Tatry, Pieniny and Slovenský Raj all state-owned lands were fully transferred. This managerial unification of majority of state-owned lands gives the national park administrations strong starting points for the process of zoning, as zonings are processes that involve all lands that fall within the territory of national parks, including those in private ownership.

These changes have already had positive effect by accelerating zoning in Slovak national parks. In particular, as evidenced by the summary document, before the adoption of the reform, only National Parks Pieniny and Slovenský Raj had concluded zoning. However, following the adoption of the law, three more zonations were completed, namely in National Park Muránska planina, National Park Slovenský kras and Veľká Fatra National Park.

As evidenced by the summary document, the process of zonation of remaining 4 national parks (National Park Vysoké Tatry, National Park Nízke Tatry, Malá Fatra National Park and Poloniny National Park) is at various stages of preparing zone declaration proposals for the respective territories.

This shall be followed by the development of a proposal for a new model for the functioning of protected areas, developed by 31 December 2022.

As required by the Council Implementing Decision, Slovakia has prepared and presented a proposal for a new model for the functioning of protected areas. The proposal for the new model, titled "National parks for the 21st century", was prepared in August 2022.

The model builds on the approved reforms of natural protection (through Act No. 6/2022 amending Act No. 543/2002 Coll. on nature and landscape protection, as amended, and amending certain acts (presented above)), and proposed new model eliminating the traditional conflict between the state and private owners or various interest groups. The summary document notes that the transition of land management to the management of the national parks will be linked to the preparedness of zoning on the territory.

Furthermore, in line with the description of the measure, **the reform shall result in a modern system with the primary objective of protecting nature and biodiversity in the territories concerned, ensuring a stable long-term contribution of ecosystems to climate change adaptation and mitigation.**

The evidence presented in the model shows that the author, the Institute for Environmental Policies of the Ministry of the Environment of Slovakia, focused on assessing the means of increasing the natural protection levels. In addition, the authors focused on creating a modern system of natural parks by addressing the delimitation of the management of the territory, eliminating the traditional conflict between states and private owners. The model also notes the need to create investments, optimise and create new revenue streams for the management of national parks. The model argues that the reform introduced by Act No. 6/2022 helps with addressing delimitation of national parks and establishing new zonation.

Additionally, the evidence in the model shows that different funding models for national parks and protected areas are explored, underscoring that the old model of financing national parks from European funding has to be substantially revised to make the funding model more sustainable. The new model proposed is based on: 1) increasing the financing from the state budget, 2) maintain EU funding (such as Structural funds, LIFE Programmes), 3) own income for national parks such including fees for visitors, tax for accommodation, logging in zones of lower protection, and using CAP to fund parks with higher number of meadows. The model offers multiple types of financing arrangements which can be chosen by the respective national park administration to set up in order to reflect specificities (for example, national parks with lower attendance may decide to not apply entry fees to stimulate higher public interest).

As evidenced by page 7 of the model, the income collected from innovative sources should go towards nature protection, soft development tourism and improving the services of the national parks administration. The income would be used for example for modifying hiking trails, environmental education, operation of information centres, nature protection and building new and reconstruction of current routes, footpath markings and overall increase in the safety of national parks.

As evidenced by the summary document, based on the legislative reform of Act No. 6/2022 and the above-described model, the reform and the model have brought rapid changes in natural protection in national parks. The Ministry of Environment has begun the zoning of several national parks (National Parks Poloniny, Veľká Fatra) and the zoning has been already adopted in some parks (National Parks Slovenský Kras, Muránska Planina). The zonings of remaining four national parks (National Park Vysoké Tatry, National Park Nízke tatry, Malá Fatra National Park and Poloniny National Park) are at various stages of preparing zone declaration proposals for the respective territories, while National Parks Pieniny and Slovenský raj were zoned in 2004 and 2015, respectively.

Therefore, as evidenced by the adoption of Act No. 6/2022 and the new model, the reformed system creates the conditions for the effective safeguarding of the primary purpose of national parks – nature conservation and biodiversity – and also creates scope for land consolidation to make nature and landscape protection more efficient. The new system of revenues provides more funding streams to historically underfunded parks, with the model providing various own income streams to allow national park administrations to make choices based on their respective conditions.

The Ministry of the Environment shall draw up a new water policy concept by 31 December 2022 and amend the Water Act by 31 December 2022.

Act No. 74/2023 amending the Water Act No. 364/2004, was adopted on 17 February 2023 and

entered into force on 1 May 2023 (as per Article 2 of the Act).

Furthermore, a new Concept of Water Policy was prepared by the Ministry of Environment and agreed by the Government on 1 June 2022. As part of the reform, Slovakia also updated its Water Plans and submitted them as evidentiary documents.

The Council Implementing Decision required that the amended water legislation shall enter into force by 31 December 2022. The amended water legislation, as evidenced by Act No. 74/2023, entered into force by 1 May 2023. Whilst this constitutes a minimal substantive deviation from the requirement of the Council Implementing Decision, the amended water legislation had entered into force at the time of the assessment.

In accordance with the description of the milestone of the Council Implementing Decision, **the water management reform in the country shall pave the way for the revitalization of watercourses, thus increasing flood protection in the country.**

The provisions of the Act No. 74/2023 amending the Water Act No. 364/2004 deal with the introduction of the definition and the main aims of the revitalisation of watercourses, setting out reporting obligations by the water administration, and the rules easing the administrative process to facilitate the revitalisation of water courses. Taking the changes together, the act paves the way for the revitalisation of watercourses, as required by the milestone and thus increasing flood protection in the country.

Article 1(1) of Act No. 7/2023 (inserting point a) in Article 2 of Act No. 364/2004) defines revitalisation of watercourses as “a set of measures close to nature carried out for the purpose of complete or partial elimination of undesirable consequences water flow adjustments”. The main goal of revitalisation, as per Article 1(9)(1) of Act No. 7/2023 (inserting Article 46 into Act No. 364/2004), is “to improve the ecological status of watercourses by promoting natural processes that lead to restoration and preservation of river ecosystem biodiversity or adaptation to climate change.”

Furthermore, Article 1(9)(1) adds that “revitalisation is carried out on the basis of project documentation, which is based on a revitalisation study. The administrator of the relevant flow is responsible for carrying out the revitalisation. If a new water structure is created by revitalisation, a building permit is required in order for it to be carried out.”

As evidenced by the Water Law, the reform contributes to making the authorisation process much simpler and, in particular, less extensive. The revitalisation measures will be addressed by a significantly simpler authorisation process, as the Water Act now defines the concept of water revitalisation.

Moreover, the Water Act sets out reporting obligations by the water administration which will be sufficient to carry out water revitalisation. As evidenced by Article 1(5)(1) of Act No. 74/2023 (inserting Article 26a in Act No. 364/2004)), the notification must include: the base data of the builder; data on the watercourse where revitalisation is to take place; the purpose, extent and river kilometre of revitalisation and their simple technical description; type of plot and parcel number of parcels; carrying out the activity of a professionally qualified legal person; statement of the owners of the land and real estate concerned.

As noted above, the addition of the goal of revitalisation of waterbodies and the conditions for reporting this action in the revised Water Act creates a legal framework for revitalisation and

restoration of river space. Slovakia is building on this through conceptual documents such as Concept of Water Policy, and the updated Water Plans, which will bring this concept into practice.

Furthermore, in line with the description of the milestone, **the reform shall allow watercourses to be revitalised and shall create room for ecological management, restoration of river space and progressive flood protection taking into account nature protection and water retention in the countryside.**

The Concept of Water Policy sets out Slovakia's water policy until 2030 and with a view towards 2050. On page 8, the Concept sets out the main principles of the water policy, noting that climate adaptation, integrated management based on basin management plans, and polluter pays as key principles.

The following objective of the Concept of Water Policy corresponds to the requirement of the reform.

Objective 1.1 (pages 10-12 of the Concept) sets out measures of water retention and ecological reducing changes to resulting from climate change, with some of the following actions:

- apply integrated country management procedures using adaptation measures at sub-level river basins – legally establish an obligation to comply with the principles of sustainable water management in the country and sustainable agriculture adapted to climate change;
- support measures to slow down water run-off and retention in a cultural landscape in line with the Action Plan for the implementation of the Slovak Strategy for Adaptation to Climate Change (Government Resolution No 476/2021) on the Adaptation Strategy Slovakia for climate change (update 2018), favouring close-to-nature water retention measures to be added to appropriate locations by technical measures;
- identify areas where there is a need to reassess current land and land management where water retention is possible and where undesirable – identifying the existing hydro-potential of a country and proposing measures to prevent its reduction as one of the elements for further decision-making on land use;
- define areas with retention potential as sites suitable for surface water accumulation and retention preferably green and blue infrastructure elements, translate them into land-use planning documents and others binding development documents;
- develop a strategic study of water retention and anti-erosion measures for pilot sites, with recommendations and practical examples for the whole territory of Slovakia;
- actively participate in land consolidation projects; require the application of environmentally sound agricultural practices and techniques aimed at protecting soil and increasing soil retention capacity, including increase in soil organic matter and reducing soil abundance (anti-erosion measures) in line with the planned “The concept of common practices in building modern agriculture over a 2035 horizon”;
- support the establishment of agroforestry systems on agricultural land, mosaic land use and introduction of regenerative and organic farming practices; process the *Plan for the protection and restoration of wetlands in the agricultural landscape* in line with the objectives of the Care Programme Slovakia's wetlands by 2024 and its action plans, in line with the environmental objectives of the Framework Directive on water and the methodological guidelines of the common implementation strategy and the spatial definition of wetlands and peatlands also by establishing adequate management methods for adjacent agricultural land;
- apply close-to-nature forest management to the extent possible in forest management, in all forests adapt their management so that they are able to retain water and positively

influence water landscape regime, protect springs, springs and parts of forest stands around watercourses, support species and genetic diversity of forest stands, with an emphasis on the use of native (autochthonous) tree species; changes to the categorisation of forest stands in favour of special purpose and protective forests;

- support the modification and/or remediation of long-used forest roads, marshalling yards and approach lines in order to slow down the run-off of water from the forest landscape;
- support the implementation of measures on the forest transport network minimising and slowing outflows from forest land made available by that network;
- promote the retention of sufficient old trees in protected areas on forest land
- to promote the protection and conservation of primary and natural forests, as well as conservation and improving the status of wetlands and other water-retaining non-forest ecosystems;
- when drawing up forest management programmes, put forward proposals and requirements to ensure appropriate management and protection of alluvial forest communities, including their revitalisation and restoration, and propose as appropriate amending forest management programmes;
- ensure effective protection of riparian stands and coastal watercourses in order to achieve good ecological status/potential of water bodies, avoidance of excessive bank erosion and transport sediments into watercourses;
- identify areas with significant sediment equilibration, on the basis of monitoring, design and implement efficient sediment management measures for non-water catchment areas, watercourses and specifically for tanks whose stock volume is affected by sediment accumulation.

In terms of key plans and goals of action, the Concept of Water Policy notes the importance of water retention in the countryside, watercourse revitalisation, and progressive flood protection.

The following objectives and the measures best illustrate the Concept document in line with the requirement in the description of the measure in the Council implementing decision.

Objective 1.2 (pages 11-12) sets out priorities for protection of inundation areas and areas at risk of flooding from further sealing and inappropriate activities:

- clearly define and regularly update the boundaries of inundation areas and areas at risk of flooding by translating data from flood hazard maps and flood risk maps into spatial planning documentation;
- create a new mandatory regulation (regulatory instrument) in spatial planning to implement the function of prohibiting new construction and inappropriate activities in areas threatened by floods, with the exception of justifiable structures in the public interest;
- update the functional use of floods of vulnerable areas, areas for the natural transformation of floods and inundation areas in the territorial plans of regions and municipalities, so that vulnerable areas do not create inappropriate sealing and inappropriate activities in terms of flood protection;
- ensure the high quality of the underlying materials reflected in the land-use planning documentation – delineate areas at risk of flooding with the greatest possible precision and taking into account the impact of both flood and water retention measures already built;
- for legal persons whose activities will reduce the country's existing inundation territory or retention capacity, introduce an obligation to build adequate replacement retention space in the river basin;
- settle property rights of land in areas suitable for the natural transformation of floods into

State ownership by all available means, in particular through purchases, swaps, by carrying out complex land consolidations;

- in specific cases of existing sealing in areas at risk of flooding instead of technically or economically ensure that protection is removed or relocated to a safe place.

Objective 1.3 (page 12) sets out priorities for (flood protection):

- implement flood protection, as a priority in the areas defined in flood hazard maps and flood risk maps, by means of measures which, in addition to the positive impact on reducing flood risks and flood hazards, do not entail a deterioration of water, aquatic and water-dependent ecosystems, while combining grey, green and blue infrastructure measures as well as soft non-structural measures, taking into account their effectiveness and efficiency;
- to review the extent and method of flood protection of areas threatened by floods in the lands outside of municipalities, to accept a higher risk of flooding of extensively used areas without structures, infrastructure and without specific territorial protection, and to reconsider the determination of flood flows affected by water retention measures and installations;
- verify the flow capacity of watercourses, inundations and existing objects on watercourses, whether they are able to safely transfer current and forward-looking flows in relation to the expected impacts of climate change, and subsequently implement the necessary measures;
- to make a passport for anti-erosion and water retention measures implemented in the past from the point of view of their safety and technical condition, and, if a risk and threat are identified, to implement the necessary measures, in cooperation with the owners, to ensure systematic technical and safety supervision throughout the life of the construction works;
- develop methodologies for designing revitalisation, water containment and flood protection measures based on a cost-benefit analysis, quantifying the effectiveness and efficiency of different types of infrastructure (green, blue, grey) and non-structural measures (multi-criterial analysis with assessment of impacts on flood protection, drought, as well as impacts on water status, habitats, taking into account climate change over a period of several decades);
- to concentrate the network of collision and metering stations in river basins, to develop predictive and warning systems for run-off time and volume of floods, with connections to inform municipalities and populations in a timely and efficient manner, to create smart operational flood management of water reservoirs for more efficient pre-discharges and to capture flood waves.

Objective 6.2. (page 24) sets out priorities for the revitalisation of floodplains:

- through the reform of landscape planning, legislative adaptations and subsequent revision of technical standards, enable the comprehensive revitalisation of watercourses to nature in a manner that promotes the achievement of good status/potential of water bodies, retention of water in the landscape, slowing down its run-off, lateral linkage and restoration of groundwater reserves;
- regulating the Water Act so that revitalisations become part of the management of streams and if water or other natural influence changes the channel of a watercourse, the administrator will require permission to return to the original basin only in the case of modified streams;
- to settle property ownership of land under and around watercourses, including existing water structures, to be transferred to the State, and to support the implementation of complex land consolidations with the separation of land close to watercourses for the

purpose of revitalisation;

- define a state border passing through watercourses as moving, where appropriate, conclude or update bilateral agreements with the countries concerned and, subject to the agreement of the Commissions of frontier waters, also implement revitalisations at frontier watercourses.

The Ministry of the Environment shall draw up a new water policy concept by 31 December 2022 and amend the Water Act by 31 December 2022 setting up technical standards which shall allow watercourses to be revitalised in a way that shall maximize water retention in the country, slowing off water outflows and restoring groundwater reserves.

The revision of the Water Act and the new Concept of Water Policy provide both the legal and policy grounding of the process of revitalisation of water courses. For the purposes of actually completing revitalisation of watercourses, technical standards are needed to be adopted to proceed with the actual process of revitalisation in a correct and manner suited for different typology and morphology of rivers.

Slovakia has submitted two technical standard documents as evidence. First, Slovakia has submitted the Methodological Manual of Procedures for the Revitalisation of Watercourses as a piece of evidence. The manual provides a methodology for the revitalisation of watercourses, taking into account the different typology and morphology of rivers and taking into account the different revitalisation measures. Moreover, the Manual sets out the basic principles and conditions that are important for the successful design of the revitalisation of the river and to provide a set of necessary knowledge, information and practical experience (both from the European Union and Slovakia) to flow managers, planners, as well as to all those seeking to nature our modified rivers. As evidenced by the purpose of the Manual is to show the path that leads to the successful design of the revitalisation of the river, showing the importance of fundamental principles, which consist mainly of restoring river processes with the help of nature-based measures wherever local conditions allow.

Importantly, in addition to the scientific literature and practical experiences in the European Union and Slovakia, both theoretical and practical knowledge has been taken from the updated European Union standard for hydromorphology, the summary document evidences that the Manual also uses applicable standard: STN EN 14614 (2020) Water quality – Guidance standard for assessing the hydromorphological features of rivers and the first standard for revitalisation CEN/TC 230/WG 25/N191, which is under approval with the working title: Water Quality – Guidance standard on a strategic approach to river restoration. This Methodological Manual also takes into account the principles set out in Commission’s Guidance on Barrier Removal for River Restoration (page 62 of the Methodological Manual).

Second, Slovakia also shared technical standard STN EN 14614 – Standard for the assessment of hydromorphological characteristics of rivers, with relevant updated, as a piece of evidence for the fulfilment of the milestone. As evidenced by the summary document, standard STN EN 14614 together with the forthcoming standard – revitalisation of flows (CEN/TC 230/WG 25/N 195 Water Quality) deal with the basic principles and principles to be used for the revitalisation of adjusted flows and inundations. As stated above, these standards are reflected in the Manual.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C6.M1 | Related measure: SK-C[C6]-R[R1]: Providing conditions for the implementation of compulsory pre-primary education for children from the age of 5 and introducing a legal entitlement to a place in kindergarten or other pre-primary education providers from the age of 3 | |
| Name of the Milestone: Introduction of legal changes of a compulsory pre-primary education for children aged of five and introduction a legal entitlement to a place in kindergarten or other pre-primary education providers from the age of three. | | |
| Qualitative Indicator: Adoption by the Parliament of Act No 596/2003, Act No 245/2008, Act No 138/2019, amendment of Government Coll., amendment of Decree No 1/2020. | Time: Q2 2023 | |
| <p>Context:</p> <p>Milestone C6.M1 is part of reform C6.R1 that aims to implement compulsory pre-primary education for children aged 5 and a legal entitlement to a place in pre-primary education for children aged 3. To achieve this objective the reform encompasses amendments to the relevant legislations, the construction of pre-primary education places, a revision of the funding system of pre-primary education, and an upgrade of the qualifications of teachers.</p> <p>Milestone C6.M1 concerns i) the enhancement of the transparency of the funding system of pre-primary education; ii) the introduction of a universal legal entitlement to a place in pre-primary education for children aged 4, as from 1 January 2024, and 3, as from 1 January 2025; iii) legislative amendments providing the sufficient places in kindergartens or other pre-primary education providers for all children from the age of 4, from September 2024, and subsequently from the age of 3, from September 2025; iv) the introduction of an upgraded qualification requirement on teachers who teach pupils from the age of 5 for who pre-primary education is compulsory, and the introduction of the requirement on pre-primary education providers to have at least one staff member with the upgrade qualification who is responsible for overseeing pedagogical quality as from 1 January 2029; and v) the introduction of compulsory pre-primary education for children aged 5.</p> <p>Milestone C6.M1 is the first step of the implementation of the reform and will be followed by targets C6.T2 and C6.T3 and milestone C6.M16, related to increasing the enrolment rate of children aged 5 following the entry into force of compulsory education for children aged 5, the construction of places in pre-primary education and the entry into force of a centralised prescriptive funding system for pre-primary education. Milestone C6.M1 is accompanied by target C6.T2 in this payment request.</p> <p>The reform has a final expected date for implementation by 30 June 2026.</p> | | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled; ii. Copy of Act No. 182/2023b Coll. adopted on 9 May 2023 as effective from 1 September 2023 to 31 August 2026 amending and supplementing, as relevant for this assessment, Act | | |

No. 245/2008 Coll. on education and training (Education Act) adopted on 22 May 2008, Act No. 138/2019 Coll. on pedagogical and professional employees adopted on 10 May 2019, and Act No. 596/2003 Coll. on state administration in education and school self-government adopted on 5 November 2003;

- iii. **Copy of Act No. 182/2023d Coll. adopted on 9 May 2023 as effective from 1 September 2029** amending and supplementing, as relevant for this assessment, Act No. 138/2019 Coll. on pedagogical and professional employees adopted on 10 May 2019;
- iv. **Copy of Decree No. 173/2023 Coll. of the Ministry of Education, Science, Research and Sport of the Slovak Republic** on qualification requirements of pedagogical and professional employees adopted on 28 April 2023 as effective from 1 September 2023;
- v. **Copy of Decree No. 341/2023 Coll. of the Ministry of Education, Science, Research and Sport of the Slovak Republic adopted on 21 August 2023** as effective from 1 September 2023 to 31 August 2029 amending and supplementing Decree No. 541/2021 Coll. of the Ministry of Education, Science, Research and Sport of the Slovak Republic on kindergarten adopted on 22 December 2021;
- vi. **Copy of Act No. 209/2019 Coll. adopted on 27 June 2019 as effective from 1 January 2021** amending Act No. 245/2008 on education and training (Education Act) adopted on 22 May 2008.

The authorities also provided:

- vii. **Copy of Act No. 182/2023a Coll. adopted on 9 May 2023 as effective from 30 May 2023 to 31 August 2023** amending and supplementing Act No. 245/2008 Coll. on education and training (Education Act) adopted on 22 May 2008, Act No. 553/2003 Coll. on the remuneration of certain employees performing work in the public interest adopted on 7 November 2003, Act No. 596/2003 Coll. on state administration in education and school self-government adopted on 5 November 2003, Act No. 597/2003 Coll. on the financing of primary schools, secondary schools and school facilities adopted on 6 November 2003, Act No. 138/2019 Coll. on pedagogical and professional employees adopted on 10 May 2019, and Act No. 414/2021 Coll. on amending and supplementing Act No. 138/2019 Coll. adopted on 5 December 2019;
- viii. **Copy of Act No.182/2023c Coll. adopted on 9 May 2023 as effective from 1 September 2026 to 31 August 2029** amending and supplementing Act No. 245/2008 on education and training (Education Act) adopted on 22 May 2008, Act No. 461/2003 on social security adopted on 30 October 2003, Act No. 553/2003 on the remuneration of certain employees performing work in the public interest adopted on 7 November 2003, Act No. 596/2003 on state administration in education and school self-government adopted on 5 November 2003, Act No. 597/2003 on the financing of primary schools, secondary schools and school facilities of adopted on November 2003, Act No. 138/2019 on pedagogical and professional employees adopted on 10 May 2019, and Act No. 414/2021 on amending and supplementing Act No. 138/2019 adopted on 5 December 2019.

Analysis:

The justification and substantiating evidence provided by the Slovak authorities covers all constitutive elements of the milestone. In particular:

The relevant provisions of Act No 596/2003 on State administration in education and school self-government shall enhance the transparency of funding for pre-primary education before the new prescriptive funding system is introduced.

The transparency of the funding system was enhanced by the amending Act No. 182/2023b (Art. IV #14) amending Act No. 596/2003 6(12i), adopted on 9 May 2023 and entered into force on 1 September 2023. This Act made it compulsory for municipalities to base the decision to allocate budget to kindergartens on their expected personnel and operating costs thereby relying on eight prescribed indicators that typically cause differences in the cost incurred by kindergartens. These eight indicators are: 1) the form in which education and training is organised; 2) the number of hours of education provided to children; 3) the number of pupils with special educational needs; 4) the number of pupils who are less than three-years-old and the number of pupils for whom pre-primary education is compulsory; 5) the wage classification of staff; 6) the energy performance of the school building; 7) the rent on the school buildings; and 8) the need to provide pedagogical assistance to pupils with health disadvantages.

The entry into force of the new prescriptive funding system will be assessed as part of milestone C6.M16 of the 6th payment request.

Act No 245/2008 shall introduce a universal legal entitlement to a place in kindergarten or other pre-primary education providers for children from four years of age and subsequently from the age of three. The legislation shall be adopted by 30 June 2023, with effect from 1.1.2024, and 1.1.2025.

In accordance with the Council Implementing Decision requirement, the Slovak authorities adopted Act No. 182/2023b (Art. I #107) on 9 May 2023, which amended Act No. 245/2008 by adding Article 161t(1). This Article became applicable on 1 September 2023 and introduced a universal legal entitlement to a place in pre-primary education for children from four years of age. The Slovak authorities also adopted Act No. 182/2023b (Art. I #6) on 9 May 2023 which amended Act No. 245/2008 by adding Article 3(b). This Article became applicable on 1 September 2023 and specifies that all children aged three are entitled to admission to pre-primary education as of the start of the consecutive school year.

The Council Implementing Decision required the universal entitlement to become effective on 1 January 2024 for 4-year-old children and on 1 January 2025 for 3-year-old children. Article 161t(1) specifies that for the school year 2024/2025, all children aged four by 31 August 2024 are entitled to admission to pre-primary education in the school year starting in September 2024. Article 3(b) specifies that all children aged 3 are entitled to admission to pre-primary education as of the start of the consecutive school year. Article 3(b) applies for the first time in the school year 2025/2026 which starts in September 2025. The legal entitlement to pre-primary education for 4-year-old children is therefore only effective from September 2024, and for 3-year-old children from September 2025.

Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay between the required date of effect and the actual application of the provisions is considered both limited and proportional. In particular, the eight-month delay is limited by aligning the application of the provisions to the beginning of the school year, and it is proportional to the implementation steps necessary to enable a reasonable application of the new regulatory measures. Specifically, the remaining wording of the description of milestone C6.M1 requires Slovakia's classroom capacity to be up to par only at the start of the school year in September: "... and shall provide the sufficient places in kindergarten or other pre-primary education providers for all children from the age of 4 (from 09/2024) and subsequently from the age of three (from 09/2025)", where ensuring sufficient capacity of places is considered a reasonable implementation step. Moreover, certainty of application and the beginning of the legal effect are provided by the fact that the aforementioned provisions 245/2008 161t(1) and 245/2008 3(b) are

part of version of Act No. 245/2008 which is applicable as of 1 September 2023. As such the Slovak administration, kindergartens, parents, prospective pupils, and other stakeholders are preparing for the effect of the universal legal entitlement. Examples of this are found in the provisions, and the corresponding date of entry into force, referenced below in this assessment to evidence that sufficient places in kindergarten or other pre-primary education providers are ensured for all 4-year-old children from September 2024, and for all 3-year-old children from September 2025. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

Act No 245/2008 shall provide the sufficient places in kindergarten or other pre-primary education providers for all children from the age of 4 (from 09/2024) and subsequently from the age of three (from 09/2025).

The amending Act No. 182/2023b (Art. I #107) that was adopted on 9 May 2023 introduced the transitional Act No. 245/2008 161t(2), which entered into force on 1 September 2023 and states that to address potential capacity constraints in the school years 2024/2025 and 2025/2026 (that is from 1 September 2024 to 31 August 2026) pre-primary education can be provided at alternative locations off the regular premises of the kindergarten if before the start of each school year the enrolment of at least 10 children aged 3 to 5 is declined and appealed, and the regional public health authority and local state administration consent.

On top of the transitional Act No. 245/2008 161t(2), and as outlined below, the Slovak authorities introduced a number of structural legislative provisions which also become effective as of 1 September 2023 and together with Act No. 245/2008 161t(2) ensure that there are sufficient places in kindergartens or other pre-primary education providers for all children from the age of four (from 09/2024) and subsequently from the age of three (from 09/2025).

The amending Act No. 182/2023b (Art. I #64) that was adopted on 9 May 2023 introduced Act No. 245/2008 59b(3), which entered into force on 1 September 2023 and specifies that if the schools under the supervision of the municipality do not have capacity to grant admission to a child with a legal entitlement to pre-primary education, the municipality is required to inform the child's legal representatives of the nearest public kindergarten which is able to grant admission to the child.

In addition, the amending Act No. 182/2023b (Art. IV #17) that was adopted on 9 May 2023 introduced Act No. 596/2003 6(20), which entered into force on 1 September 2023 and specifies that to ensure sufficient places to enable children to exercise their right to admission to pre-primary education, municipalities are required to forecast annually, with a three-year horizon, the number of children aged 3 to 5 residing in the municipality. Moreover, the same amending Act introduced Act No. 596/2003 6(21-22), which entered into force on 1 September 2023 and specifies that conditional on available capacity, municipalities and self-governing regions are required to have established a new class as of the start of the school year if before the start of the respective school year the admission of at least 10 children who are at least 3-years-old is declined and appealed, and the regional public health authority consents.

The amendment to Act No 138/2019 on pedagogical and professional employees and the amendment to Decree No 1/2020 Coll. on qualification requirements for teaching staff and specialist staff shall introduce the condition that pedagogical staff in kindergartens or other pre-primary education providers as a teacher have a higher education degree in the teaching programme for early and pre-primary education if they teach children for whom pre-primary education is compulsory. In addition, the regulation shall introduce the condition that each kindergarten or other pre-primary education provider shall have at least one staff member with a

higher education degree in the teaching programme for early and pre-primary education who is responsible for overseeing the pedagogical quality. The amendment shall be adopted by 30 June 2023 at the latest, with a date of application from 1.1.2029.

The Council Implementing Decision required the date of application of the amendment to Act No. 138/2019 and Decree No.1/2020 to be 1 January 2029. The Slovak authorities adopted the amending Act No. 182/2023d (Art. VI #5) on 9 May 2023. The latter Act amended Act No. 138/2019 11(1b) which becomes applicable on 1 September 2029 and states that kindergarten teachers, who teach pupils for whom pre-primary education is compulsory, are required to have at least a bachelor's degree. Pre-primary education providers other than kindergartens are not covered by the amended Act No. 138/2019 11(1b), because kindergartens are foreseen to be the only type of pre-primary education provider after the expiration of the transitional Act No. 245/2008 161l(2-11) on 31 August 2026. The latter provision temporarily authorised so-called pre-primary education facilities to provide compulsory pre-primary education.

The requirement that the bachelor's degree referred to in the amended Act No. 138/2019 11(1b) shall be obtained in the teaching programme for early and pre-primary education is specified in Annex No. 1 to Decree No. 173/2023 which was adopted on 28 April 2023 and became applicable on 1 September 2023. Decree 173/2023 replaced the in the Council Implementing Decision referenced Decree 1/2020. This replacement was necessary because amendments had to be made to the annexes of the Decree. Annex No. 1 lists in section B of part 1 what specific degrees are referred to under the amended Act No. 138/2019 11(1b). By default, a bachelor's degree in a teaching programme for pre-school pedagogy or pre-primary education is required but teachers with a bachelor's degree in a field of pedagogical studies other than pre-primary education may provide pre-primary education conditional to obtaining the in the table specified occupational qualification in pre-primary education.

Moreover, the amending Act No. 341/2023 (Art. I #3) which was adopted on 21 August 2023 introduced Act No. 541/2021 2(4) which becomes applicable on 1 September 2029 and specifies that the quality of pre-primary education provided at the kindergarten is supervised by the (deputy) principal or a pedagogical employee assigned to the position of "supervisor", who has at least a bachelor's degree. The requirement that this bachelor's degree shall be obtained in the teaching programme for early and pre-primary education is specified in the same version of Annex No. 1 to Decree No. 173/2023 as described above. Similarly, the introduced Act No. 541/2021 2(4) only covers kindergartens for the reason described above. The position of supervisor is defined in the amending Act No. 182/2023b (Art. VI #22) which was adopted on 9 May 2023 and introduced Act No. 138/2019 38(6) which became applicable on 1 September 2023 and states that a supervisor may coordinate and supervise activities related to the professional competence of pedagogical staff under the authority of the school's principal.

The qualification requirement on teachers to obtain a higher education degree in the teaching programme for early and pre-primary education if they teach children for whom pre-primary education is compulsory, is thus not applied as of 1 January 2029 but eight months later, as of 1 September 2029. Similarly, the requirement on kindergartens to have at least one staff member with a higher education degree in the teaching programme for early and pre-primary education who is responsible for overseeing the pedagogical quality is thus not applied as of 1 January but eight months later, as of 1 September 2029.

Whilst this constitutes a minimal temporal deviation from the requirement of the Council Implementing Decision, the delay between the required date of application and the actual application of the provisions is considered both limited and proportional. The eight-month delay,

which is limited and aligns the application of the provisions to the beginning of the school year, is proportional to the implementation steps necessary in order to enable a reasonable application of the new regulatory measures. Specifically, the Slovak authorities provided the Commission with a quantitative analysis showcasing that it is infeasible to train a sufficient number of teachers with the required qualification by 1 January 2029. This was due, *inter alia*, to the influx of children due to the war in Ukraine, which has increased the number of children attending or going to attend kindergartens, with a corresponding increase in the need for additional teaching staff in kindergartens (that will need to be retrained to meet the new requirement). With the adoption and publication of this law, incentives for teaching staff in kindergartens have already changed as they have certainty on the application of these legal provisions requiring a higher education degree in the future, whilst leaving a reasonable time for such people to retrain as necessary. As a higher education degree takes at least three years, to prepare for the application in September 2029, such staff need to start university at the latest by September 2026. To facilitate this, the authorities are implementing, in conjunction with universities, a series of actions to ensure that the required number of staff commence this training or retraining by September 2026. The reasons for the delay and the implementation steps to enable a reasonable application of the new regulatory measures have, therefore, taken place within the timeline of the Facility. In addition, no further legal act is necessary for these provisions to enter into force and as such there is legal certainty that these provisions will apply. On this basis, it is considered that this constitutive element of the milestone is satisfactorily fulfilled.

In line with the name of milestone C6.M1, **compulsory pre-primary education is introduced for children aged 5.**

The amending Act No. 209/2019 (Art. I #14) that was adopted on 27 June 2019 introduced Act No. 245/2008 28a(1), which entered into force on 1 January 2021 and states that for each year, pre-primary education is compulsory for children who are 5 years old by 31 August as of the start of the consecutive school year. This requirement is linked to target C6.T2 which is assessed below in this payment request.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C6.T2 | Related measure: SK-C[C6]-R[R1]: Providing conditions for the implementation of compulsory pre-primary education for children from the age of 5 and introducing a legal entitlement to a place in kindergarten or other pre-primary education providers from the age of 3 | | |
| Name of the Target: Enrollment rate in pre-primary schools for children aged five years | | | |
| Quantitative Indicator: Percentage | Baseline: 88 | Target: 95 | Time: Q3 2022 |
| <p>Context:</p> <p>Target C6.T2 is part of reform C6.R1 which aims to implement compulsory pre-primary education for children aged 5 and a legal entitlement to a place in pre-primary education for children aged 3. To achieve this objective the reform encompasses amendments to the relevant legislations, the construction of pre-primary education places, a revision of the funding system of pre-primary education, and an upgrade of the qualifications of teachers.</p> <p>Target C6.T2 concerns the increase in the enrolment rate of children aged 5 following the introduction of compulsory pre-primary education for children aged 5. Compulsory pre-primary education is to be provided in kindergartens, including those for special educational needs, included in the Slovak network of schools, in the form of individual education, for instance at the request of a pupil’s legal representative at home, and at the establishment of a registered pre-primary education provider.</p> <p>Target C6.T2 is the second target of the reform, and follows the completion of milestone C6.M1, related to the enhancement of the transparency of the funding system for pre-primary education and teacher qualifications, as well as the introduction of the legal entitlement to pre-primary education for children aged 3, and is accompanied by milestone C6.M1 in this payment request. It will be followed by target C6.T3 and milestone C6.M16, related to the construction of places in pre-primary education and the entry into force of the centralised prescriptive funding system for pre-primary education.</p> <p>The reform has a final expected date for implementation by 30 June 2026.</p> | | | |
| <p>Evidence Provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled; ii. Spreadsheet computing the enrolment rate of 5-year-old children in 2022. The spreadsheet as created by the Ministry of Education, Science, Research and Sport was shared with the Commission on 25 September 2023 and encompasses: a list of 60,028 children aged 5 registered in Slovakia, a list of 3,792 schools at which 57,895 children aged 5 were enrolled, a list of 1,703 children aged 5 who had no health insurance and for which no child allowance was claimed, and the computation of the enrolment rate; iii. Copy of Act No. 245/2008 Coll. adopted on 22 May 2008 as effective from 1 September 2023 to 31 August 2024 on education and training (Education Act); iv. Copy of Act No. 209/2019 Coll. adopted on 27 June 2019 as effective from 1 January 2021 | | | |

amending Act No. 245/2008 on education and training (Education Act) adopted on 22 May 2008;

- v. **Copy of Act No. 273/2021 Coll. adopted on 22 June 2021 as effective from 10 July 2021 to 31 December 2021** amending, as relevant for this assessment, Act No. 245/2008 on education and training (Education Act) adopted on 22 May 2008;
- vi. **Copy of Act No. 182/2023 Coll. adopted on 9 May 2023 as effective from 1 September 2023 to 31 August 2026** amending, as relevant for this assessment, Act No. 245/2008 on education and training (Education Act) adopted on 22 May 2008.

The authorities also provided:

- vii. **Spreadsheet providing a list of pre-primary education establishments active in the school year 2021/2022** pursuant to Act No. 245/2008 161l(1). The spreadsheet as created by the Ministry of Education, Science, Research and Sport was shared with the Commission on 25 September 2023 and encompasses a list of 45 pre-primary education establishments providing compulsory pre-primary education to 1,113 pupils;
- viii. **Spreadsheet providing a list of pre-primary education establishments active in the school year 2022/2023** pursuant to Act No. 245/2008 161l(1). The spreadsheet as created by the Ministry of Education, Science, Research and Sport was shared with the Commission on 25 September 2023 and encompasses a list of 45 pre-primary education establishments providing compulsory pre-primary education to 1,213 pupils;
- ix. **Spreadsheet providing a list of pre-primary education facilities (*zariadenie predprimárneho vzdelávania*) active in the school year 2021/2022** pursuant to Act No. 245/2008 161l(2-11). The spreadsheet as created by the Ministry of Education, Science, Research and Sport was shared with the Commission on 25 September 2023 and encompasses a list of 39 pre-primary education facilities providing compulsory pre-primary education;
- x. **Spreadsheet providing an overview of pre-primary education facilities (*zariadenie predprimárneho vzdelávania*) active in the school year 2022/2023** pursuant to Act No. 245/2008 161l(2-11). The spreadsheet as created by the Ministry of Education, Science, Research and Sport was shared with the Commission on 25 September 2023 and encompasses a list of 54 pre-primary education facilities providing compulsory pre-primary education;
- xi. **Spreadsheet computing the enrolment rate of 5-year-old children in 2020.** The spreadsheet as created by the Ministry of Education, Science, Research and Sport was shared with the Commission on 25 September 2023 and encompasses a list of 2,926 municipalities along with: the number of children aged 5 registered in these (58,069 children in total), the number of children enrolled in these (50,983 children in total), and the computation of the enrolment rate;
- xii. **Copy of Act No. 596/2003 Coll. adopted on 5 November 2003 as effective from 1 September 2023 to 31 August 2024** on state administration in education and school self-government.

Analysis:

The justification and substantiating evidence provided by the Slovak authorities covers all constitutive elements of the target. In particular:

Enrolment rate in pre-primary schools for children aged five years increased to 95%.

The spreadsheet created by the Ministry of Education computes the enrolment rate of 5-year-old

children and shows that the enrolment rate is 96.4% in 2022. The rate captures the proportion of 5-year-old children who were enrolled in education on 15 September 2022 relative to the number of 5-year-old children who permanently resided in Slovakia on 31 August 2022. All children with a registered permanent residence in one of the municipalities of Slovakia on 31 August 2022, aged 5 years and 0 days (born on 31 August 2017) to 5 and 364 days (born on 1 September 2016) on 31 August 2022 were included in the computation. The relevant data was retrieved from the Ministry of Education's Departmental Sectoral Information System (RIS) and the Register of Individuals (RFO).

For non-enrolled children, indicators were used to check whether the child plausibly resided in Slovakia. These indicators were two binary variables: health insurance in Slovakia on 31 December 2022, and child allowance between September and December 2022. If both these variables were dissenting, the child was dropped from the population. Data for the binary variables was retrieved from the Central Register of Insured Persons from the Healthcare Surveillance Authority (HSA) and the Central Database of the Offices of Labour, Social Affairs and Family (UPSVaR). 1,703 5-year-old children were omitted from the population because they plausibly lived abroad.

60,028 5-year-old children were included in the population and 57,895 of them were accounted as enrolled. The enrolment rate is thus 96.4% and Slovakia overachieved the target by 868 enrolled 5-year-old children.

For children who are 5 years old, pre-primary education shall be compulsory.

The amending Act No. 209/2019 (Art. I #14) which was adopted on 27 June 2019 introduced Act No. 245/2008 28a(1) which entered into force on 1 January 2021 and states that for each year, pre-primary education is compulsory for children who are 5 years old by 31 August as of the start of the consecutive school year.

Under the amendment to the School Act, 5-year-old children shall receive pre-primary education: i) in kindergarten/special kindergarten included in the Slovak network of schools and schools, ii) in individual education, e.g. at the request of a legal representative at home, or iii) at the establishment of a registered pre-primary education provider.

The School Act, that is Act No. 245/2008, provides the assurance that 5-year-old pupils for who pre-primary education is compulsory receive pre-primary education in the required forms.

As regards kindergarten/special kindergarten included in the Slovak network of schools, Act No. 245/2008 27(1-2) which was adopted on 22 May 2008 and entered into force on 1 September 2008 lists the types of schools which are part of the Slovak network of schools. Kindergartens and schools for pupils with special educational needs are part of this network. This remained unaltered as evidenced by the version of Act No. 245/2008 as effective from 1 September 2023 to 31 August 2024 which has been provided by the Slovak authorities as evidence.

As regards individual education, for instance at the request of a legal representative at home, the amending Act No. 273/2021 (Art. I #2) which was adopted on 22 June 2021 and entered into force on 10 July 2021 amended Act No. 245/2008 23(a) which entered into force on 10 July 2021 and states that compulsory pre-primary education can be fulfilled through individual education which takes place without regular participation at school. Unaltered compared to the initial version of Act No. 245/2008, which was adopted on 22 May 2008 and entered into force on 1 September 2008, remains Act No. 245/2008 24(1) which states that individual education is to be requested by the pupil's legal representative from the school's principal. This is evidenced by the version of Act No. 245/2008 as effective from 1 September 2023 to 31 August 2024 which has been provided by the

Slovak authorities as evidence.

As regards the establishment of a registered pre-primary education provider, the amending Act No. 273/2021 (Art. I #22) which was adopted on 22 June 2021 and entered into force on 10 July 2021 introduced the transitional Act No. 245/2008 161l which entered into force on 10 July 2021 and authorised pre-primary education “establishments”, in Act No. 245/2008 161l(1), and pre-primary education “facilities”, in Act No. 245/2008 161l(2-11), to provide compulsory pre-primary education. Act No. 245/2008 161l defines pre-primary establishments as additional temporary separate classrooms off the regular premises of a pre-existing kindergarten at which the kindergarten is allowed to teach compulsory pre-primary education until 31 August 2024 subject to the consent of the regional public health authority and the local state administration. Act No. 245/2008 161l(3) specifies that pre-primary education facilities are registered in the register of pre-primary education facilities. The amending Act No. 182/2023 (Art. I #105) which was adopted on 9 May 2023 and entered into force on 1 September 2023 extended the period over which pre-primary education facilities are authorised to provide compulsory pre-primary education from 31 August 2024 to 31 August 2026.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C6.M4 | Related measure: SK-C[C6]-R[R2]: Definition of the concept of special educational needs of children and pupils and the development of a model for eligible support measures in education, and education including their funding system |
| Name of the Milestone: Adoption of the law on redefinition of the concept of special educational needs and the preparation of accompanying methodological material for teaching staff, specialist staff and school leaders. | |
| Qualitative Indicators: Adoption of the Parliament of the amendment to Act No. 245/2008 Coll., Act No. 597/2003 Coll.; Amendment of Government Regulation No. 630/2008 and Adoption by the government; Development of methodological material on the vertical model of support measures, didactic and methodological material for teaching Slovak as a second language and the introduction of support for children with different mother tongues in education. | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of the reform is to provide a new definition of the concept of special educational needs (SEN) of children and pupils, who are experiencing obstacles to access education and training and need support measures to fulfil their educational potential. In addition to the introduction of a new definition of SEN, the reform envisages the development of a vertical model for eligible support measures in education, including their funding system. In order to implement the reform, teachers need to be provided with teaching and methodological materials through further training programmes. 10 000 teachers and specialist staff need to participate in trainings and other information activities.</p> <p>Milestone C6.4 requires amendments to Act No. 245/2008 on education and training (together with a separate new Decree) and amendments to Act No. 597/2003 on the financing of primary schools, secondary schools, and educational establishments, defining children and pupils experiencing obstacles to access education and their entitlement to education support through specific support measures. In addition, the milestone requires the amendment of Slovak Government Regulation No. 630/2008, which takes into account different specificities when calculating the normative contribution by means of coefficients. The milestone foresees the preparation and publication of accompanying methodological materials, including methodological sheets for teachers and worksheets for pupils for developing Slovak language competences, to be made freely accessible to all relevant educational actors.</p> <p>The milestone C6.4 is the first step in the implementation of the reform, and it is followed by milestone C6.M5 and target C6.T6. The second milestone of this reform, C6.M5, relates to the entry into force of the changes in the legal acts foreseen for adoption in milestone C6.4. Target C6.T6 is the final element in the implementation of Reform 2. The target foresees trainings and other information activities on the new model of eligible support measures for 10 000 teachers and specialist staff.</p> <p>The reform has a final expected date for implementation by 31 December 2025.</p> | |
| Evidence provided: | |

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

- i. **Summary document** duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled;
- ii. **Copy of Act No. 182/2023 Coll. adopted on 9 May 2023**, amending Act No. 245/2008 on education and training (the Education Act) and amending certain Acts, including Act 597/2003;
- iii. **Copy of the Catalogue of Support Measures**, published on the website of the Ministry of Education here: www.podporneopatrenia.minedu.sk/katalog-podpornych-opatreni/;
- iv. **Copy of the accompanying methodological materials**, published on the website of the Ministry of Education here: www.podporneopatrenia.minedu.sk/katalog-podpornych-opatreni/;
- v. **Copy of Directive No. 29/2023** determining the procedure for the allocation of funds for support measures in education and training, entering into force on 22 September 2023;
- vi. **Copy of the methodology for allocating funding for support measures** for the school year 2023/2024, entering into force on 19 September 2023.

The authorities also provided:

- vii. **Copy of the implications for the government budget** on employment in the general government and on the financing of the proposal.

Analysis:

The justification and supporting evidence provided by Slovakia covers all constitutive elements of the milestone. In particular:

Adoption of the Parliament of the amendment to Act No. 245/2008 on education and training. Amendment of Act No. 245/2008 (together with a separate new Decree) to define children and pupils experiencing obstacles to access education and their entitlement to education support through specific support measures. Furthermore, in accordance with the description of the measure, the reform shall change the definition of special educational needs of pupils by a new definition of a child or pupil experiencing obstacles to access to education, education and learning, who need the provision and application of support measures to fulfil their educational potential.

The new Act No. 182/2023 of 9 May 2023 amending Act No. 245/2008 on education and training (hereinafter Act No. 245/2008) changes the legal definition of Special Education Needs (SEN), with a new, revised definition in section 2, point I) of that act.

The former definition of SEN in Act No. 245/2008 point i) of section 2, before its amendment of 9 May, was based on a breakdown of children and pupils into the following categories: health disadvantages, intellectual talents, or a socially disadvantageous environment, with a view to define the concept of SEN and establish the entitlement to educational support.

The new definition of SEN takes into account a broader scope of considerations to define a child or pupil, who is experiencing obstacles to access education and is entitled to the provision of support measures. The new considerations include health, social conditions, language abilities, talents,

behaviour, cognitive abilities, motivation, emotionality, creativity, or skills.

The new definition for SEN contributes towards a higher level of inclusiveness of the Slovak educational system on the basis of a broader set of social indicators beyond medical considerations as to take into account the obstacles related to access to education.

In addition, the amendments to Act No. 245/2008 provide for the entitlement to educational support through specific support measures of children or pupils experiencing obstacles to access education, based on the established SEN. The new section 145a (1) provides a definition of what constitutes a support measure and a new section 145a (2) details a list of 21 educational support measures.

The Council Implementing Decision required a separate new Decree to accompany the amendment to Act No. 245/2008 for the definition of the entitlement to education support through the specific support measures. However, the complete list of support measures was included in the amendments to Act No. 245/2008 with a new section 145a (1), which provides a definition of what constitutes a support measure and a new section 145a (2) detailing a list of 21 educational support measures. Therefore, the adoption of a Decree was not considered necessary by Slovakia. Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, the legislative technique followed by Slovakia 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.

A vertical model of support shall be created by introducing new of eligible support measures for all children.

The vertical model of support measures is defined in the new section 145b of the amended Act No. 245/2008 and further specified in the Catalogue of Support Measures (Annex III of the supporting evidence, page 7; hereinafter the catalogue). The catalogue specifies three types of support measures as part of the vertical model of support, depending on the assessment of the level of support that the child or pupil needs: 1) General, 2) Targeted, or 3) Specific support measures.

The provision of support measures is linked to the 5 levels of support in the system of counselling and prevention, as defined in section 131 in Act No. 245/2008. The provision of each support measure is required at a different level of the counselling and prevention system. The new section 145 (b) details the procedures for the application and provision of support measures according to the required level of support (five levels of support as specified in section 131, Act No. 245/2008).

Act No. 182/2023, amending Act No. 245/2008 was adopted on 9 May 2023 as evidenced by Annex II of the supporting evidence, and published on the website of the Official Journal.

Adoption of the Parliament of the amendment to Act No. 597/2003 on the financing of primary schools, secondary schools and educational establishments. Amendment of Government Regulation No. 630/2008 and adoption by the government. Furthermore, in accordance with the milestone description, Slovak Government Regulation No 630/2008 shall be adapted, which takes into account different specificities when calculating the normative contribution by means of coefficients.

The new Act No. 182/2023 of 9 May 2023, amending Act No. 245/2008 on education and training and amending certain acts, introduces amendments to Act No. 597/2003 on financing of primary schools, secondary schools, and school establishments (hereinafter Act No. 597/2003) with regard to the creation of a funding system for the allocation of funds for support measures.

A new section 4e '*Contribution to support measures*' of the amended Act No. 597/2003 introduces a provision for an earmarked and fixed contribution from the state budget (from the Chapter of the Ministry of Education) for the different categories of the 21 support measures, introduced in the new section 145a (2) of Act No. 245/2008 (as defined in the previous section).

In section 3, Article 2 a) a new provision is introduced as part of the amendments of 9 May 2023, for budgeting funds from the Chapter of the Ministry for contribution to support measures in education and training, added as a new sub-point 10.

These new provisions in Act No. 597/2003 create three ways for financing support measures, depending on their category:

- Section 4e(1) of Act No. 597/2003 stipulates funding regulated by the Methodology for the allocation of funds for support measures in education (the methodology for the school year 2023/2024, which entered into force on 22 September 2023, is provided as Annex V of the supporting evidence, hereinafter the methodology), which is updated on annual basis for each school year. The methodology is covering in particular the funding for support professions (teaching assistant, special educator or other pedagogical staff, health professional, etc.);
- Section 4e(2) of Act No. 597/2003 stipulates funding at the request of the school founder, mainly applicable to the financing of material provision of support measures (including contributions to special educational publications, removal of physical barriers, etc.);
- Section 8c of Act No. 597/2003 stipulates funding through a conciliation procedure, which concerns specifically the provision of language support in the school's language of instruction.

The amendment was adopted on 9 May 2023 as evidenced by Annex II of the supporting evidence.

To complement the amendments in Act No. 597/2003, the new Directive No. 29/2023 (Annex V of the supporting evidence, hereinafter, the Directive) entered into force on 19 September 2023 as part of the new funding system of support measures, laying down: 1) the provision of the Methodology for the allocation of funding for support measures for each specific year in question – Directive, Article 2 (2)), 2) the criteria for allocating a contribution to support measures to be taken into account in the methodology (the Directive, Article 2 (3) – such as type of school or school establishment, total number of children, total number of children with SEN, etc.) and 3) the procedures for the applications for funding of support measures (according to the three ways of financing of support measures as defined above). The Directive entered into force on 19 September 2023, as evidenced by Annex V of the supporting evidence and published on the website of the Ministry of Education.

On the basis of the contribution criteria outlined in the Directive 29/2023, Article 2 (3), the contribution to support measures by means of coefficients of different specificities from the state budget is indicated in the separate methodology for the allocation of funding for support measures (Annex VI of the supporting evidence), which is updated and approved for each school year. The provision for the preparation of the methodology on the allocation of funds is stipulated also in

section 4e(4) of the amended Act No. 597/2003. The methodology for the school year 2023/2024 entered into force on 22 September 2023.

As stated above, the new funding system for support measures is introduced as a new, separate contribution and designed as a ring-fenced, fixed funding from the state budget with the amendments of Act No. 597/2003, adopted on 9 May 2023. For the operationalisation of the new funding system, the new Directive 29/2023 was also introduced, laying down the criteria and procedures for allocating funds to support measures. The methodology for the allocation of funds for support measures is updated for each school year and indicates the calculation of the contribution to support measures by means of coefficients. As of September 2023, all 21 support measures are available for implementation.

The Council Implementing Decision Annex required an adaptation of Government Regulation 630/2008 to take into account different specificities when calculating the normative contribution by means of coefficients. The framework for funding of support measures was set up and made operational with the amendments of Act No. 597/2003 adopted on 9 May 2023, and further specified through the new Directive No. 29/2023 and the methodology for the school year 2023/2024, without introducing changes also in Regulation 630/2008. The amendment of Regulation 630/2008 was not necessary as the funding system of support measures was introduced as a separate, ring-fenced contribution, not part of the normative funding which is regulated by Regulation 630/2008. Whilst this constitutes a minimal formal deviation from the requirement of the Council Implementing Decision, even though Regulation 630/2008 was not amended, the funding system for support measures was implemented as of the school year 2023/2024 as a separate, earmarked contribution from the state budget, through the amendment to Act No. 597/2003 of 9 May 2023. Act No. 597/2003 introduced the new section 4e 'Contribution to support measures', which establishes the contribution for support measures as a separate, ring-fenced funding. To complement this Act, Directive 29/2023, which entered into force on 22 September 2023 and the methodology for the allocation of funds for support measures, which entered into force on 19 September 2023, define the criteria and coefficients for the allocation methodology and procedures for the allocation of funding for support measures from the state budget. Therefore, the criteria for the calculation of the contribution are established through a legally binding Act (Article 2(3), Directive 29/2023) and the calculation of the contribution by means of coefficients is set in the methodology, the use of which is required both by Act No. 597/2003 (section 4e(1)) and by the Directive 29/2023 (Article 2(2)). As of this, this minimal formal 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 satisfactory fulfilled.

The reform requires the preparation of accompanying methodological materials. In addition, methodological sheets for teachers and worksheets for pupils, aimed at developing the language competences of children and pupils with different mother tongues than the school's language of instruction, shall be developed for different levels of language competences and different age groups.

In line with the provisions of the Council Implementing Decision Annex, the Ministry of Education published on its designated website methodological materials including: the catalogue of support measures (Annex III of the supporting evidence) and 14 methodological materials, linked to the 21 support measures, as defined in Section 145a of the amended Act No. 245/2008 of 9 May 2023. Some methodological materials are relevant to more than one of the support measures. The methodological materials provide guidance and instructions to schools, teachers and specialised staff for the implementation of the 21 support measures.

The following methodological materials have been prepared:

- i. Adaptations in education and training according to the needs of the child and the pupil (relevant to support measures a) and b) as defined in Act No. 245/2008 of 9 May).
- ii. Interventions (relevant to support measure c) as defined in Act No. 245/2008 of 9 May).
- iii. Action in support of achieving school competence (relevant to support measure d) as defined in Act No. 245/2008 of 9 May).
- iv. Action in support of achieving school competence (relevant to support measure d) as defined in Act No. 245/2008 of 9 May).
- v. Ensuring the provision of Slovak language course or other support for learning the school's language of instruction: Opportunities to support the learning of the school's (Slovak) language of instruction – Slovak as second language (relevant to support measure e) as defined in Act No. 245/2008 of 9 May – further elaborated on in the following section).
- vi. Entry test to determine the command of SK as a foreign language (relevant to support measure e) as defined in Act No. 245/2008 of 9 May– further elaborated on in the following section).
- vii. Special forms of communication in inclusive and special pedagogy (relevant to support measure l) as defined in Act No. 245/2008 of 9 May).
- viii. Action to Promote Social Inclusion (relevant to support measure j) as defined in Act No. 245/2008 of 9 May).
- ix. Implementation of the Buddy program in schools. The following materials were provided: 1. Welcome to the Buddy program; 2. Sign up buddy program; 3. Tips for distance learning; 4. Form for the supervisor before the start of the buddy program; 5. Questionnaire; 6. Supervisor of the buddy program; 7. Buddy program: peer support in schools (relevant to support measure j) as defined in Act No. 245/2008 of 9 May).
- x. Specialised career guidance (relevant to support measure i) as defined in Act No. 245/2008 of 9 May).
- xi. Helpdesks at school (relevant to support measures o) and m) as defined in Act No. 245/2008 of 9 May).
- xii. Methodology for special teaching and compensation aids and adaptation of the school environment (relevant to support measure p) as defined in Act No. 245/2008 of 9 May).
- xiii. Prevention to promote physical health & mental health and prevention of risk behaviour (relevant to support measure t) as defined in Act No. 245/2008 of 9 May).
- xiv. School crisis situations and special educational establishments during incidents (relevant to support measure u) as defined in Act No. 245/2008 of 9 May).

Based on the new section 145a(3) of the amended Act No. 245/2008, the Ministry of Education published on its designated website a catalogue of support measures, which provides detailed description of each of the 21 support measures (including details on implementation, staffing, target group, etc., Annex III of the supporting evidence).

In addition, as required by the Council Implementing Decision Annex, the methodological sheets for teachers and worksheets for pupils were developed and provided in the following methodological materials:

- i. Ensuring the provision of Slovak language course or other support for learning Slovak as a language of instruction (methodological material No. 5 in the list provided above).
- ii. Entry test to determine the command of Slovak as a foreign language (methodological material No. 6 in the list provided above).

The document "Entry Test" includes methodological sheets for teachers (Annex 1, 2 and 6) and worksheets for pupils (Annex 3,4,5,7, 8 to 14) to develop the language competences of children and

pupils with different mother tongue than the school language of instruction. In addition, the document includes a description of the three communication levels, scope of linguistic support, design of the entrance test to determine the level of command of the Slovak language, design of Slovak level assessment test for teaching staff and worksheets for pupils, evaluation criteria, etc. The document also includes a definition of an evaluation methodology and scoring criteria for establishing the level of competence in Slovak as a second language.

The document “Entry test” specifies 3 levels of knowledge of Slovak as a foreign language: Level 0 - no prior knowledge, Levels 1 and 2 – basic, Level 3 – threshold level. The document makes specific provisions to define the different characteristics and objectives of the language competence for the different levels.

The accompanying document “Ensuring the provision of Slovak language course or other support for learning Slovak as a language of instruction” also defines the three levels of knowledge of Slovak as a foreign language, with additional provisions defining the respective characteristics and objectives of the course for each level.

The language support for developing Slovak language competences is made available for different age groups, in mixed groups or groups based on the age of the students, depending on specific conditions (methodological material “Ensuring the provision of Slovak language course”, page 8). The document provides detailed guidance to teachers and teaching staff on creating teaching content, learning environment, building vocabulary, including questions and tasks for students with different levels of competence in Slovak.

Methodological and didactic materials shall be published on a separate web portal and shall be freely accessible to all relevant educational actors.

In line with the provisions of the Council Implementing Decision Annex, all methodological materials were published in September 2023 on the website of the Ministry of Education. The website is reserved for information regarding support measures and is freely accessible to the general public.

Commission Preliminary Assessment: Satisfactorily fulfilled.

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| Number: C6.T13 | Related measure: SK-C[C6]-R[R6]: Compensatory measures to mitigate the impact of the pandemic in education for primary and secondary school pupils | | |
| Name of the Target: Number of schools taking part in tuition programmes | | | |
| Quantitative Indicator: Number | Baseline: 0 | Target: 450 | Time: Q4 2022 |
| <p>Context:</p> <p>The measure aims to implement a tuition plan at primary- and secondary schools which compensates for the interruption of in-person teaching over the pandemic, as well as to launch a call for research which analyses the impact of the pandemic on education and provides implications for education policies.</p> <p>Target C6.T13 requires the provision of tuition programmes in main educational fields at 450 schools reaching 12,000 pupils. As a priority, tuition programmes need to be targeted to pupils who were unable to fully participate in education during the pandemic.</p> <p>Target C6.T13 is the only milestone or target of reform C6.R6.</p> | | | |
| <p>Evidence Provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled; ii. Copy of the decision 2021/18910:I-A2110 by the Ministry of Education, Science, Research and Sport of 10 September 2021 on the launch of the call for applications to Together Wiser 2 (<i>Spolu múdrejší 2</i>) as signed by the Minister; iii. Copy of the decision 2021/18651:1-A2220 by the Ministry of Education, Science, Research and Sport of 21 September 2021 on the launch of the call for applications to Together More Successful 2021 (<i>Spolu úspešnejší 2021</i>) as signed by the Minister of Education; iv. Copy of the decision 2021/22567:1-A2110 by the Ministry of Education, Science, Research and Sport of 13 December 2021 on the launch of the call for applications to Together wiser 3 (<i>Spolu múdrejší 3</i>) and Together More Successful 2 (<i>Spolu úspešnejší 2</i>) as signed by the Minister of Education; v. Copy of the supplement to the call for applications to Together Wiser 2 (<i>Spolu múdrejší 2</i>) as issued by the Ministry of Education, Science, Research and Sport; vi. Copy of the supplement to the call for applications to Together More Successful 2021 (<i>Spolu úspešnejší 2021</i>) as issued by the Ministry of Education, Science, Research and Sport; vii. Copy of the supplement to the call for applications to Together Wiser 3 (<i>Spolu múdrejší 3</i>) as issued by the Ministry of Education, Science, Research and Sport; viii. Copy of the supplement to the call for applications to Together More Successful 2 (<i>Spolu úspešnejší 2</i>) as issued by the Ministry of Education, Science, Research and Sport; ix. Spreadsheet providing lists of schools participating in the tuition plan, as grouped by each of the four schemes of the tuition plan. Lists compiled by the Ministry of Education, Science, Research and Sport per tuition scheme of schools participating, based on schools' unique identification code (EDUID) and address, and per school: i) the name of the school, ii) the number of pupils supported, iii) confirmation that tuition was targeted as a priority at | | | |

those pupils who were unable to fully participate in education during the interruption of in-person in the school years 2019/2020 and 2020/2021, iv) confirmation that tuition was provided in individual or group form, v) confirmation that tuition was provided in addition to regular school hours, vi) confirmation that tuition focused in particular on subjects from “main educational fields”; and vii) confirmation that it was the school’s responsibility to select pupils;

- x. **Spreadsheet providing a list of 932 unique schools participating in the four schemes of the tuition plan.** A list compiled by the Ministry of Education, Science, Research and Sport of the 932 unique schools participating in the tuition plan, based on schools’ unique identification code (EDUID) and address, and per school: i) the name of the school, ii) the number of pupils supported, iii) confirmation that tuition was targeted as a priority at those pupils who were unable to fully participate in education during the interruption of in-person in the school years 2019/2020 and 2020/2021, iv) confirmation that tuition was provided in individual or group form, v) confirmation that tuition was provided in addition to regular school hours, vi) confirmation that tuition focused in particular on subjects from “main educational fields”; and vii) confirmation that it was the school’s responsibility to select pupils;
- xi. **Copy of the Decision OLP/2576/2020 by the Public Health Authority of 12 March 2020** to suspend in-person teaching as of 13 March 2020 until further notice as signed by the Chief Hygienic of Slovak Republic;
- xii. **Copy of the Decision 2020/12033:2-A2110 by the Minister of Education of 28 May 2020** to repeal the suspension of in-person teaching in kindergartens, in the first five grades of primary school, in all grades of elementary school, and in secondary school to conduct major examinations, as of 1 June 2020 conditional on the consent of the founder of the school and the pupil’s legal representative, as well as the imposed capacity constraints;
- xiii. **Copy of the Decision 2020/12614:1-A2110 by the Minister of Education of 9 June 2020** to repeal the suspension of in-person teaching in primary art schools and leisure centres, as of 10 June 2020;
- xiv. **Copy of Decision 2020/12033:2-A2110 by the Minister of Education of 28 May 2020** as amended by Decision 2020/12614:1-A2110 by the Minister of Education of 9 June 2020 which is listed above as item xiii;
- xv. **Copy of the Decision 2020/12836:1-A2110 by the Minister of Education of 16 June 2020** to repeal the suspension of in-person teaching for all pupils as of 22 June 2020 conditional on the consent of the founder of the school and the pupil’s legal representative;
- xvi. **Copy of the Decision 2020/17294:1-A1810 by the Minister of Education of 11 October 2020** to suspend in-person teaching in secondary schools for pupils from grade 5 to 8 as of 12 October 2020 until further notice as signed by the Minister of Education. Pupils from grade 5 to 8 were allowed to sit major examinations at school and teaching in secondary schools for vocational education and special educational needs was exempted;
- xvii. **Copy of the Resolution 77/2021 by the government of 5 February 2021** limiting freedom of movement as of 8 February 2021 until further notice. The resolution partially exempts the movement to and from schools;
- xviii. **Copy of the Decision 2021/10079:1-A1810 by the Minister of Education of 5 February 2021** to exempt pre-primary education and to partially exempt elementary- primary- and secondary education from the suspension of in-person teaching as of 8 February 2021;
- xix. **Copy of the Decision 2021/13405:1-A1810 by the Minister of Education of 13 May 2021** to repeal the suspension of in-person teaching for all pupils as of 17 May 2021;
- xx. **Copy of the call for applications 2021/9761:11-D2801 as issued by the Ministry of Education, Science, Research and Sport** for pedagogical research analysing the impact of the pandemic on education and implications for education policy as signed by the Minister;
- xxi. **Copy of the school’s principal statement (60 times)** confirming compliance with

- requirements outlined in the calls for applications for each of the 60 randomly sampled schools;
- xxii. **Copy of the school principal's letter (60 times)** providing the number of unique pupils who received tuition at the school for each of the 60 randomly sampled schools;
 - xxiii. **Spreadsheet listing the data digitally submitted as part of the school's application to the call for applications of Together Wiser 2 (*Spolu múdrejší 2*)** for the randomly sampled schools as compiled by the Ministry of Education, Science, Research and Sport for the purpose of this assessment;
 - xxiv. **Spreadsheet listing the data digitally submitted as part of the school's application to the call for applications of Together wiser 3 (*Spolu múdrejší 3*)** for the randomly sampled schools as compiled by the Ministry of Education, Science, Research and Sport for the purpose of this assessment;
 - xxv. **Spreadsheet listing the data digitally submitted as part of the school's application to the call for applications of Together More Successful 2021 (*Spolu úspěšnější 2021*)** for the randomly sampled schools as compiled by the Ministry of Education, Science, Research and Sport for the purpose of this assessment;
 - xxvi. **Spreadsheet listing the data digitally submitted as part of the school's application to the call for applications of More Successful 2 (*Spolu úspěšnější 2*)** for the randomly sampled schools as compiled by the Ministry of Education, Science, Research and Sport for the purpose of this assessment;
 - xxvii. **Spreadsheet listing of the school's input to the final reporting of Together Wiser 2 (*Spolu múdrejší 2*)** as extracted from the IT system of the Ministry of Education, Science, Research and Sport for the randomly sampled schools and as compiled by the Ministry for the purpose of this assessment;
 - xxviii. **Spreadsheet listing of the school's input to the final reporting of Together wiser 3 (*Spolu múdrejší 3*)** as extracted from the IT system of the Ministry of Education, Science, Research and Sport for the randomly sampled schools and as compiled by the Ministry for the purpose of this assessment;
 - xxix. **Spreadsheet listing of the school's input to the final reporting of Together More Successful 2021 (*Spolu úspěšnější 2021*)** as extracted from the IT system of the Ministry of Education, Science, Research and Sport IT system for the randomly sampled schools and as compiled by the Ministry for the purpose of this assessment;
 - xxx. **Spreadsheet listing of the school's input to the final reporting of Together More Successful 2 (*Spolu úspěšnější 2*)** as extracted from the IT system of the Ministry of Education, Science, Research and Sport IT system for the randomly sampled schools and as compiled by the Ministry for the purpose of this assessment;
 - xxxi. **Copy of the school's class books (60 times)** logging lessons of tuition provided at the school for each of the 60 randomly sampled schools.

The authorities also provided:

- xxxii. **Copy of the literature review (including case studies) of the research 022UK-2-1/2021** analysing the impact of the pandemic on education and implications for education in policy as produced by the Institute of Social Anthropology of the Comenius University in June 2023;
- xxxiii. **Copy of the theoretical framework of the research 022UK-2-1/2021** analysing the impact of the pandemic on education and implications for education in policy as produced by the Institute of Social Anthropology of the Comenius University in June 2023;
- xxxiv. **Copy of the sample description of the research 022UK-2-1/2021** analysing the impact of the pandemic on education and implications for education in policy as produced by the Institute of Social Anthropology of the Comenius University in June 2023;
- xxxv. **Copy of the analysis of survey results of teachers of the research 022UK-2-1/2021**

analysing the impact of the pandemic on education and implications for education in policy as produced by the Institute of Social Anthropology of the Comenius University in April 2023;

xxxvi. **Copy of the analysis of survey results of teachers, parents and pupils of the research 022UK-2-1/2021** analysing the impact of the pandemic on education and implications for education in policy as produced by the Institute of Social Anthropology of the Comenius University in June 2023;

xxvii. **Copy of the summary report of the research 022UK-2-1/2021** analysing the impact of the pandemic on education and implications for education policy as produced by the Institute of Social Anthropology of the Comenius University in June 2023.

Analysis:

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

450 schools organise tuition programmes.

The Ministry of Education launched three calls for applications to which schools applied to obtain financial support to remunerate tutors and coordinators to organise tuition programmes at school. These three calls covered four schemes: *Together Wiser 2* which supported tuition at primary schools, including for special educational needs, from 1 October 2021 to 31 December 2021; *Together Wiser 3* which supported tuition at primary schools, including for special educational needs, from 17 January 2022 to 17 June 2022; *Together More Successful 2021* which supported tuition at secondary schools, including for special educational needs, from 15 October 2021 to 31 December 2021; and *Together More Successful 2* which supported tuition at secondary schools, including for special educational needs, from 17 January 2022 to 17 June 2022. Participation in the preceding calls was no prerequisite to apply at the succeeding calls.

The Ministry of Education provided a list of 932 unique schools which organised tuition following the school's successful application to at least one of the calls for applications described above. It is therefore concluded that the target is fulfilled, and in fact overachieved by 107%.

Moreover, for this target covering a large number of beneficiaries, in addition to the summary document and official listings provided by the Slovak authorities, 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 evidence provided for the sample of 60 schools confirmed that this requirement of the target has been met. In particular, of the 60 randomly sampled schools from the list of 932 unique schools which organised tuition, the Slovak authorities provided per school: a copy of the information entered into the school's application to the call which was submitted digitally, a copy of the extract of the final reporting on the deliverables of the tuition programme as logged in the Ministry of Education's IT system, a copy of a letter and statement signed by the school's principal, and copies of the class books of the school.

By reaching this number of schools, 12 000 pupils shall be supported by tuition programmes.

Based on the spreadsheet listing the 932 unique schools which organised tuition as compiled by the Ministry of Education, it is concluded that at least 63 814 pupils received tuition. The latter list links each unique school to its participation in only one tuition scheme, even if the school participated in

multiple tuition schemes. This approach avoided that pupils from 465 schools which participated in two tuition schemes, and thus may have received support from two schemes, were counted twice. The conclusion that 465 schools participated in two tuition schemes and that none of the schools participated in more than two of the tuition schemes follows from an analysis of the unique identification code of schools (EDUID) as provided in the list of schools which participated per tuition schemes.

The evidence provided for the sample of 60 schools confirmed that this requirement of the target has been met. In particular, for the 60 randomly sampled schools from the list of 932 unique schools which organised tuition, it was verified that the numbers provided in the overview of unique schools which organised tuition matched the numbers of unique pupils who received tuition as provided in the school principal's letter. The numbers matched for all but three schools. After inspection of the principal's letter, the spreadsheet listing the 932 unique schools and the final reporting as logged in the Ministry of Education's IT system, the discrepancies are found to result from administrative errors and are minor enough to conclude that the requirement is fulfilled. Moreover, the reported number of 63 814 well exceeds the requirement to provide tuition to at least 12 000 unique pupils which provides further assurance that the requirement is fulfilled.

As a priority, the tuition programmes shall target those pupils who were not able to fully participate in education during the period of interrupted attendance education in schools in the 2019/2020 and 2020/2021 school years.

The evidence provided for the sample of 60 schools confirmed that this requirement of the target has been met. In particular, of the 60 randomly sampled schools from the list of 932 unique schools which organised tuition, the Slovak authorities provided per school: the school principal's statement which emphasises the school's compliance to prioritising the participation of pupils who were unable to fully participate in education during the period of interrupted in-person teaching in the 2019/2020 and 2020/2021 school years.

In addition, the supplements to the calls for applications to schools to participate in the tuition plan provide that tuition was targeted at pupils who are at risk of school failure, that is who needed help in their learning (Together Wiser 2, p.3; Together Wiser 3, p.6; Together More Successful 2021, p.4; Together More Successful 2, p.5). The objective to mitigate the adversity caused by the pandemic or distance learning is thereby referenced in all supplements to the calls for applications (Together Wiser 2, p.3; Together Wiser 3, p.6; Together More Successful 2021, p.2 and p.5; Together More Successful 2, p.2). Reference to the objective to mitigate the adversity caused by the pandemic is also made in the three decisions to launch the calls for applications to schools (Together Wiser 2, p.2; Together More Successful 2021, p.3; Together Wiser 3 and Together More Successful 2, p.3). Yet, the supplements to the calls for applications to schools also state that each of the tuition schemes welcomed participation of all pupils, irrespective of the severity in which the pandemic affected them (Together Wiser 2, p.3; Together Wiser 3, p.6; Together More Successful 2021, p.4; Together More Successful 2, p.5). In-person teaching was suspended from 13 March 2020 to 22 June 2020 and from 12 October 2020 to 17 May 2021 (OLP/2576/2020; 2020/12836:1-A2110; 2020/17294:1-A1810; 2021/13405:1-A1810).

Tuition shall take place in individual or group form.

The evidence provided for the sample of 60 schools confirmed that this requirement of the target has been met. In particular, of the 60 randomly sampled schools from the list of 932 unique schools which organised tuition, the Slovak authorities provided per school: the school principal's statement which emphasises the school's compliance to having provided tuition on an individual basis or in

groups of pupils. Moreover, the sampled school's class books provide for each lesson of tuition that has been provided at the school, the name of the pupils who participated.

In addition, the supplements to the calls for applications to schools to participate in Together Wiser 2, Together Wiser 3, and Together More Successful 2 prescribe that tuition is to be provided in groups of 3 to 5 pupils (Together Wiser 2, p.2; Together Wiser 3, p.3; Together More Successful 2, p.2). The supplement to the call for application to schools to participate in Together More Successful 2021 prescribes a group size of 2 to 5 pupils (Together More Successful 2021, p.2). All the tuition schemes allowed for the option of individual tutoring (Together Wiser 2, p.2; Together Wiser 3, p.2; Together More Successful 2021, p.2; Together More Successful 2, p.2).

Tuition shall take place in addition to regular school hours.

The evidence provided for the sample of 60 schools confirmed that this requirement of the target has been met. In particular, of the 60 randomly sampled schools from the list of 932 unique schools which organised tuition, the Slovak authorities provided per school: the school principal's statement which emphasises the school's compliance to providing tuition in addition to regular school hours. Moreover, the school's class books provide for each lesson of tuition that has been provided at the school, the time at which the lesson has been provided.

In addition, the supplement to the calls for applications to Together Wiser 2 and Together Wiser 3 state that tuition was provided at extracurricular hours (Together Wiser 2, p.2; Together Wiser 3, p.2). The supplement to the calls for applications to Together More Successful 2021 and Together More Successful 2 state that tuition needs to be provided in the afternoon (Together More Successful 2021, p.2; Together More Successful 2, p.2). The decisions to launch the call for applications to schools of Together Wiser 2, Together Wiser 3, and Together More Successful 2 state that tuition needs to be provided at extracurricular hours (Together Wiser 2, p.2; Together Wiser 3 and Together More Successful 2, p.3).

Tuition shall focus in particular on subjects from so-called "main educational fields".

The evidence provided for the sample of 60 schools confirmed that this requirement of the target has been met. In particular, of the 60 randomly sampled schools from the list of 932 unique schools which organised tuition, the Slovak authorities provided per school: the school principal's statement which emphasises the school's compliance to providing tuition mainly in subjects from main educational fields. Compliance is further confirmed by the school principal's letter which specifies in which subjects the school provided tuition, as well as the information from the school's application to the call for applications in which it indicated the subjects in which it planned to provide tuition, the final reporting on the deliverables of the tuition programme as logged in Ministry of Education's IT system, and the topic of each lesson of tuition as logged in the class books of the schools.

In addition, the decisions to launch the calls for applications to schools state that tuition was provided in the main educational fields and defines that, for primary education, the latter encompasses: "language and communication", "mathematics and informatics", "men and society", and "human and nature" (Together Wiser 2, p.4; Together Wiser 3 and Together More Successful 2, p.3). In the case of secondary education, tuition took place in vocational subjects, practical teaching, practical skills, general education subjects, and sports training but there was also space to provide tuition in other subjects (Together More Successful 2021 2021, p.3; Together Wiser 3 and Together More Successful 2, p.3). Furthermore, the supplements to the calls of Together More Successful 2021 and Together More Successful 2 refer explicitly to the type of subjects in which tuition needs to be provided: general educational subjects, theoretical vocational subjects or

practical courses and sports training but also offer space for other subjects (Together More Successful 2021, p.5; Together More Successful 2, p.6).

In line with the description of the measure, **the selection of pupils is a responsibility assigned to the school.**

The evidence provided for the sample of 60 schools confirmed that this requirement of the target has been met. In particular, of the 60 randomly sampled schools from the list of 932 unique schools which organised tuition, the Slovak authorities provided per school: the school principal's statement which emphasises the school's responsibility to select pupils to participate in the tuition programme. Moreover, the school's input to the application to the call for applications contains the school's plan to coordinate the delivery of tuition, and plan to motivate and inform pupils (and their legal representatives). The final reporting on the deliverables of the tuition programme as logged in the Ministry of Education's IT system contains for each of the schools an evaluation of the coordination of the delivery of tuition, and an explanation of how the school motivated and informed pupils (and their legal representatives).

In addition, the decisions to launch the calls for applications to schools state that schools are required to develop a plan to coordinate the delivery of tuition (Together Wiser 2, p.4; Together More Successful 2021, p.4; Together Wiser 3 and Together More Successful 2, p.4). The supplements to the calls for applications to schools provide the description of the tasks of the school's coordinator of the tuition programme. Among these tasks is the requirement to create a plan to inform and motivate pupils (and their legal representatives) to participate in the tuition programme (Together Wiser 2, p.3; Together Wiser 3, p.4; Together More Successful 2021, p.3; Together More Successful 2, p.4).

In line with the description of the measure, **the communication with pupils' legal representatives is a responsibility assigned to the school.**

The evidence provided for the sample of 60 schools confirmed that this requirement of the target has been met. In particular, of the 60 randomly sampled schools from the list of 932 unique schools which organised tuition, the Slovak authorities provided per school: the school principal's statement which emphasises the school's responsibility for communicating with pupils' legal representatives. Moreover, the school's input to the application of the call for applications contains the schools' plan to motivate and inform pupils' legal representatives (and pupils) to participate in the tuition programme. The final reporting on the deliverables of the tuition programme as logged in the Ministry of Education's IT system contains for each of the schools an explanation of how the school motivated and informed pupils' legal representatives (and pupils) to participate in the tuition programme.

In addition, the decisions to launch the calls for applications to schools state that schools are required to develop a plan to motivate pupils' legal representatives (and pupils) to participate in the tuition programme (Together Wiser 2, p.4; Together More Successful 2021, p.4; Together Wiser 3 and Together More Successful 2, p.4). The supplements to the calls for applications to schools also state that as part of the application, schools submitted a plan to inform pupils' legal representatives (and pupils) about the possibility of tutoring and to motivate them to participate in the tuition programme (Together Wiser 2, p.5; Together Wiser 3, p.7; Together More Successful 2021, p.5; Together More Successful 2, p.7).

In line with the description of the measure, the **Ministry of Education shall launch a call for carrying out extensive pedagogical research to analyse the impact of the pandemic on education and their implications for education policies.**

The Ministry of Education launched the call, 2021/9761:11-D2801 which comprises seven sub-calls. The fourth sub-call named: *Development of research capacities in the field of pedagogical research*, is the relevant call (p.3). The objective of this call is “to support universities in networking and developing research capacities in the implementation of pedagogical research on the impact of the pandemic and the conduct of distance learning in regional education”.

The call details that the policy implications of the pandemic on education need to be examined in five thematic research areas. In sum, these areas encompass: i) the impact of the pandemic on pupils with special educational needs, ii) the changes in the learning process during the pandemic, iii) the identification of possible benefits from the pandemic for education, iv) the effectiveness of compensatory measures on mitigating the negative impact of the pandemic, and v) the preparedness of teaching staff for policy reforms.

Moreover, in line with the description of the measure, the call addresses the problem of the lack of comprehensive data on the course of distance learning. The call specifies that comprehensive data on the course of distance learning needs to be obtained by applying survey methods to a sample of teaching- and specialist staff from primary- and secondary schools, including from special educational needs, as well as pupils and parents. Case studies showcasing examples of best practice also need to be collected.

The call closed for applications on 30 September 2021 and implementation of the research run from 1 November 2021 to 31 December 2022.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C8.M1 | Related measure: SK-C[C8]-R[R1]: Change in the funding of universities by introduction of performance contracts |
| Name of the Milestone: Introduction of performance contracts | |
| Qualitative Indicator: Conclusion of the overarching agreement of the Ministry of Education, Science, Research and Sport of the Slovak Republic (<i>MŠVVaŠ</i> SR) with universities | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this reform is to introduce into the legal system a new financing instrument for universities, namely performance contracts. Such contracts are aimed at supporting the profiling and diversification of universities and are signed between the Ministry of Education, Science, Research and Sport of the Slovak Republic (<i>MŠVVaŠ</i> SR) with public universities.</p> <p>Milestone C8.M1 requires the conclusion of an overarching agreement between the Ministry of Education, Science, Research and Sport of the Slovak Republic (<i>MŠVVaŠ</i> SR) and universities, which sets out the principles and procedures for the conclusion of performance contracts. The introduction of performance contracts aims at, among other things, increasing the share of professionally oriented bachelor's programmes of public higher education from 4 % to 10 % by 31 December 2025.</p> <p>Milestone C8.M1 is the initial step in the implementation of this reform, and it will be followed by target C8.T2 related to the number of performance contracts signed with public universities by 31 December 2023.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including all essential elements) has been satisfactorily fulfilled. ii. Copy of the Memorandum of Understanding and Cooperation, agreement between the Ministry of Education, Science, Research and Sport (<i>MoŠVVaŠ</i> SR) and the Slovak Rectoral Conference on the process of concluding performance contracts, entered into force on 31 March 2023 until 31 December 2023. The Memorandum is also available at https://www.minedu.sk/vykonnostne-zmluvy-verejnych-vysokych-skol/. <p>The authorities also provided:</p> <ol style="list-style-type: none"> iii. Copy of Act No. 131/2002 (Higher Education Act) on higher education and amending certain acts, published in the Official Journal on 21 February 2002. The amendment to the Act entered into force on 25 April 2023. iv. Copy of the Long-term Objective in educational, research, development, artistic and other creative activities for universities 2023-2028, published on the website of the Ministry on 24 August 2023, at this link: https://www.minedu.sk/vykonnostne-zmluvy-verejnych-vysokych-skol/ https://www.minedu.sk/vykonnostne-zmluvy-verejnych-vysokych-skol/ v. Copy of Directive No. 28/2023 on measurable indicators for performance contracts for public higher education institutions, published on the website of the Ministry on 14 September 2023, and available at this link: https://www.minedu.sk/vykonnostne-zmluvy-verejnych- | |

vysokych-skol/ The Directive contains two annexes: a list of mandatory and optional measurable indicators and the mathematical principles used to set the targets for the measurable indicators.

Analysis:

The justification and substantiating evidence provided by the Slovak authorities cover all constitutive elements of the milestone. In particular:

Performance contracts shall support the profiling and diversification of universities based on their strengths, their potential for development, the reduction in the number of curricula, as well as the concentration of resources.

In line with the CID, the Memorandum of Understanding and Cooperation, which is a form of agreement, states in Article 1(3) that performance contracts aim to support the profiling and diversification of universities based on their specific strengths and development potential. Annex I of the Long-term Objective (2023-2028) lays down a number of actions for 2023-2028 with a view to achieving strategic objectives. Action 1 is about the support to the diversification and profiling of universities in the context of performance contracts. Such contracts should ensure that universities are profiled according to their mission and specialisation (Section 1.2, Long-term Objective). Pursuant to Directive No. 28/2023, public universities can choose from a selection of 21 optional measurable indicators, allowing universities to choose the areas they want to focus on and thus fostering the profiling and diversification of universities.

Performance contracts also support the reduction in the number of curricula. As outlined in the Long-term Objective in sub-chapter 1.1, state higher education policy aims to eliminate the prevailing uniformity of Slovak universities with similarly profiled study programmes. Because universities have to report on a series of measurable indicators, they could achieve them by closing down or consolidating programmes where they are achieving relatively lesser results.

Ultimately, performance contracts also support the concentration of resources. As indicated in Section 3.2 of the Long-term Objective and in Annex I of Directive No. 28/2023, one separate area of measurable indicators is the “integration of higher education capacities”. Under this heading, four measurable indicators are encompassed:

- Concentration of capacities in education;
- Concentration of capacities in research (R&D&I);
- Concentration of capacities in non-academic and regional cooperation;
- Concentration of management and management capacities.

The incentives towards higher integration and concentration of resources among universities also supports the gradual reduction of duplicate study programmes currently offered by universities.

Furthermore, in line with the description of the measure, **the performance contracts shall be introduced to the legal system.**

The process of integrating performance contracts into the university financing system has taken several stages. As laid out in Article 1, the Memorandum of Understanding and Cooperation, in force since 31 March 2023, sets out the procedures and principles between the Ministry and the Slovak Rector Conference relating to the preparation and conclusion of performance contracts.

Article 89(3) of Act No. 131/2002, as amended on 23 March 2022, mandates the Ministry of Education to grant subsidies to the public higher education institutions on the basis of a contract that will take the form prescribed by the Ministry of Education. The performance contract will contain:

- The volume of subsidies;
- The purpose for which the subsidies are granted and other conditions for their use;
- The time and manner in which the subsidies were granted;
- The list of measurable indicators for a period of three years, drawn up in accordance with the topics set out in the Long-term Objective (2023-2028) of the Ministry of Education;
- The date by which the beneficiary submits to the provider a statement of the subsidies.

As outlined in Article 89(8), the determination of subsidies to individual public higher education institutions will be made on the basis of a methodology developed and updated annually by the Ministry of Education. Article 89(13) provides that, by 31 August each year, the public higher education institutions will provide the Ministry of Education with an assessment of the fulfilment of the measurable indicators contained in the performance contracts for the preceding calendar year. After verifying its correctness, the Ministry of Education will publish it on its website by 31 December.

Chapter 3, sub-chapter 3.2 (Implementation of performance contracts) of the Long-term Objective 2023-2028 lays down the conditions for the introduction of performance contracts and contains the specific procedure and timetable for monitoring and implementing the measurable indicators. In the course of 2023, performance contracts with effect during 2024-2028 will be concluded with all public universities to meet measurable indicators for the years 2024-2026. The Ministry of Education publishes a methodology for the allocation of the state funding to universities every year specifying which share of subsidy is conditional on the achievement of performance indicators. In the course of 2023, the Ministry of Education will conduct individual negotiations with each public higher education institution, during which it will discuss all measurable indicators so that all relevant contracts are signed by 31 December 2023.

The Directive No. 28/2023 on measurable indicators for performance contracts of public universities for the period 2024-2026 was approved by the Ministry of Education on 13 September 2023. Annex I of the Directive contains an exact list and description of measurable indicators and their breakdown into mandatory and optional indicators. In total, 29 measurable indicators are defined, of which eight are mandatory and 21 optional indicators. Each public university is obliged to meet the mandatory measurable indicators, while choosing six indicators out of the 21 optional ones. The indicators are grouped into five areas, as determined by the Ministry of Education:

- i. High quality and attractive higher education;
- ii. Quality science, research, and other creative activities in universities;
- iii. Societal impacts and regional university cooperation;
- iv. Integration of higher education capacities;
- v. Internationalisation of universities

Furthermore, in line with the description of the measure, **on the basis of the agreement with universities, objectives shall be set which shall be monitored using the U-Multirank approach (unified methodology to carry out the performance evaluation) and shall be based on a long-term objective in the field of universities and country needs.**

The performance of universities will be published annually on the Ministry of Education's website, in

accordance with Article 89(13) of Law No. 131/2002. Once their performance is published, the professional and general public will be able to compare the performance of universities in different indicators according to their own preferences. As outlined in Article 3(2) of the Directive No. 28/2023, the monitoring and evaluation of the measurable indicators will be carried out by the Ministry of Education, which sets out the mathematical principles used to set the objectives of the indicators.

The achievement of these objectives, as listed in the measurable indicators, are due to be monitored through a unified methodology using a similar approach as U-Multirank. U-Multirank is a website that gathers data on higher education institutions (available at <https://www.umultirank.org/about/methodology/our-approach/>). The website is multi-dimensional and compares different university performance in the different areas and activities they are engaged in, such as “teaching and learning”, “knowledge transfers”, “international orientations” and “regional engagement”. U-Multirank does not produce a combined, weighted score across the five different areas of performance, measured through measurable indicators, to derive a score and rank universities. Each indicator will be assessed and reported individually. The objectives that are included in the performance contracts as measurable indicators are based on the Long-term Objective in educational, research, development, artistic and other creative activities for universities 2023-2028. Pursuant to Section 3, strategic objective 3 in the field of higher education institutions by 2028 will be a reform of the methodology for the breakdown of State budget subsidies to public higher education institutions reflecting their diversification in specialisation through the introduction of performance contracts.

Like in U-Multirank, the system of performance contracts in Slovakia is multi-dimensional and will assess university performances in the different activities they are engaged in, based on the five different areas of measurable indicators, as outlined in the Directive No. 28/2023. Similarly, like in U-Multirank, no single weighed score across the different areas of performance will be produced. Each measurable indicator will be assessed and reported individually.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C8.T4 | Related measure: SK-C[C8]-R[R2]: Introduction of a system of periodic scientific performance evaluation | | |
| Name of the Target: Number of performed evaluations | | | |
| Quantitative Indicator: Number | Baseline: 0 | Target: 20 | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this reform is to introduce a system of periodic evaluation of the scientific performance of universities. The methodology for assessing scientific performance is prepared by the Ministry in cooperation with stakeholders and introduced into the legal system. The Ministry also organises the performance evaluation either directly or through an autonomous institution, so that the assessment is based on the principles of independence and transparency. The measure requires that the assessment panel consists of domestic and foreign excellent researchers. Finally, the evaluation needs to be based on high quality assessment systems from abroad, with the British Research Excellence Framework (REF) as the main inspiration. All these reform objectives were already assessed under C8.R2.M3.</p> <p>Target C8.T4 requires the participations of all Slovak public universities in the periodic evaluation of scientific research.</p> <p>Target C8.T4 is the second and last step of the implementation of the reform. It follows the completion of milestone C8.M3 related to the entry into force of Law No. 172/2005 on the organisation of state support for research and development.</p> | | | |
| <p>Evidence Provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled, with appropriate links to the underlying evidence. ii. List of the results of evaluations carried out. This Excel file documents the number of evaluations carried out for each public higher education institution and refers to the resulting quality profiles published on the web portal of the Ministry of Education, Science, Research and Sport of the Slovak Republic. The evidence also contains a link to the Ministry of Education's page and to the "<i>Verification of Excellence in Research (VER)</i>" IT database: https://www.minedu.sk/33250-sk/vysledky-periodickeho-hodnotenia-vyskumnej-vyvojovej-umeleckej-a-dalsej-tvorivej-cinnosti/ | | | |
| <p>Analysis:</p> <p>The justification and substantiating evidence provided by the Slovak authorities cover all constitutive elements of the milestone. In particular:</p> <p>The target refers to all public universities.</p> | | | |

Among the 308 applications received, 253 applications were submitted by all 20 public higher education institutions, and 55 by public research institutions. In all public universities, different departments have requested evaluations for various teaching subjects. The evaluation was carried out in 2022 and results were published by the Ministry of Education on 19th December 2023. The results of the periodic evaluation are available at <https://ver.cvtisr.sk/vysledky/>.

The evaluations were carried out by 165 research evaluators in 28 Project Evaluation committees (*projektové hodnotiteľ'ské komisie*) (<https://www.minedu.sk/data/att/25939.pdf>) and by seven Study Field Evaluation committees (*odborové hodnotiteľ'ské komisie*) (<https://www.minedu.sk/data/att/25935.pdf>). Notably, the project evaluation committees produced a methodology and specific criteria for assessing the quality of the research, whereas the study field evaluation committees coordinated and oversaw the work of the relevant project committees.

For each public higher education institutions, the 5 criteria for evaluations were: 1) world level, 2) significant international level, 3) international level, 4) national level, 5) uncategorised.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C8.T5 | Related measure: SK-C[C8]-R[R3]: A new approach to accreditation of higher education | | |
| Name of the Target: Percentage of universities apply to check the compliance of internal quality systems and study programmes with standards | | | |
| Quantitative Indicator: percentage | Baseline: 0 | Target: 90 | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this measure is to set out the new standards and criteria for the accreditation of curricula that tighten the conditions for guaranteeing and delivering study programmes, improve their quality and introduce long-term quality monitoring processes.</p> <p>Target C8.T5 requires that at least 90% of universities have applied for a verification of the compliance of their internal quality systems and study programmes with new accreditation standards.</p> <p>Target C8.T5 is the only target of this reform.</p> | | | |
| <p>Evidence Provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled. ii. Copy of the list of universities that have requested compliance with the Standards for the internal quality system for higher education. iii. Requests for conformity checks on internal quality systems and study programmes. The document shows that all universities in Slovakia have applied for compliance checks on internal quality systems and study programmes. iv. Copy of the accreditation standards for internal quality system for higher education (hereinafter referred to as “Standards for the Internal Quality System”), published on 2 July 2020. The document contains accreditation standards against which universities’ internal quality systems will be assessed, based on their applications. The Standards for the Internal Quality System are available at https://saavs.sk/wp-content/uploads/2020/12/Standards_for_the_Internal_System.pdf v. Copy of the Standards for the Study Programmes, published on 2 July 2020. The Standards for the Study Programmes are available here: https://saavs.sk/wp-content/uploads/2020/09/Standardy-pre-studijny-program-2.pdf <p>The authorities also provided:</p> <ol style="list-style-type: none"> vi. Copy of Appendix 1 to the Standards for the Study Programmes, published on 6 May 2021. vii. Copy of the Principles for the enrolment in the list of assessors, removal from that list and the establishment of working groups, published on 17 September 2020. The document demonstrates that foreign reviewers and practitioners are involved in assessing the fulfilment of the accreditation standards. The Principles are also available here: https://saavs.sk/wp-content/uploads/2020/09/Zasady-na-zapis-do-zoznamu-posudzovatelov-.pdf viii. Copy of the Notification on the list of assessors of the Slovak Accreditation Agency for | | | |

Higher Education (hereinafter referred to as “the list of assessors”). The document shows that the Slovak Accreditation Agency for Higher Education (SAAVŠ) makes standard use of foreign experts and practitioners when assessing higher education institutions. The list of assessors is also available at https://saavs.sk/wp-content/uploads/2023/01/zapis_do_zoznamu-30.1.2023.pdf. The attached list of reviewers is the version updated as of the 30 January 2023 and was downloaded from Slovak Accreditation Agency for Higher Education’s website on 12 April 2023.

- ix. **Copy of the list of study programmes,** comparing the number of study programmes from 1 September 2021 to 31 December 2023.

Analysis:

The justification and substantiating evidence provided by the Slovak authorities cover all constitutive elements of the target. In particular:

At least 90% of universities have applied for a verification of the compliance of their internal quality system and study programmes with new accreditation standards.

The list of the universities that have requested verification of the compliance of internal quality assurance systems and study programmes shows that, by 31 December 2022, all 33 universities in Slovakia have submitted an application. The applications submitted to the Slovak Accreditation Agency for Higher Education for all 33 universities feature in the Requests for Conformity Checks on Internal Quality Systems and Study Programmes.

Notably, the document Requests for Conformity Checks on Internal Quality Systems and Study Programmes, provided as evidence, demonstrates that all 33 universities are asked to submit information regarding their:

- Internal quality system;
- Internal evaluation report on the implementation of the internal quality system;
- Internal evaluation report on the implementation of study programmes;
- Internal evaluation report on the implementation of habitation and inauguration procedures;
- Internal evaluation report on the implementation of the internal system indicators.

The new accreditation standards shall tighten standards and conditions for the guarantee and delivery of study programmes.

The Slovak Accreditation Agency for Higher Education approved new accreditation standards on 2 July 2020, and they entered into force on 1 September 2020. These standards are the Standards for the Internal Quality System and the Standards for Study Programmes, provided as evidence (i). According to Article 1(4) of the Standards for Internal Quality Systems and Article 1(5) of the Standards for Study Programmes, these new accreditation standards are fully compatible with the “Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)”.

In the previous accreditation standards, the Minister of Education made the actual decisions on the granting of accreditation. Another disadvantage was the fact that the evaluation in the Accreditation Commission was conducted in permanent review panels. This could have led to the risk of bias, generalized evaluation procedures or conflicts of interest.

With respect to the previous ones, the new accreditation standards bring about changes in the

personnel responsibility for study programmes. According to Article 6(4) of the Standards for Study Programmes, the higher education institution is expected to have a designated person with the relevant competence and primary responsibility for the implementation, development and quality assurance of the study programmes.

Additionally, according to the previous accreditation standards, only one person was required to guarantee a study program at the bachelor and master's level whereas three people were required to guarantee PhD programs (criterion KSP-A6: *Garantovanie kvality a rozvoja študijného programu* which can be found at <https://www.minedu.sk/data/files/2545.pdf> page 9). The new criteria require five academics with creative outputs for any study program (Article 7(2) sub-paragraphs (a) and (b) of the Standards for Study Programmes).

Articles 2 through 11 of the Standards for the Study Programmes lay out the conditions that universities need to comply with. In particular, a higher education institution has formalised and put in place structures and processes for:

- Proposal for a new study programme and a proposal for the modification of the study programme. Among other objectives, it requires that the study programme is drawn up in accordance with the mission and strategic objectives of the higher education institution, as set out in the long-term objective of the higher education institution. (Article 2);
- Approval of study programmes. Among other objectives, such processes guarantee the transparent, fair, professionally sound, and independent assessment and approval of a study programme (Article 3);
- Learner-centered learning, teaching and assessment. The policies should guarantee the active role of students, their creativity and autonomy in education are promoted (Article 4);
- Recruitment procedure, course of study, recognition of qualifications and awarding academic titles. It should be guaranteed, among other objectives, that consistent rules are applied, published and easily accessible for all stages of the student's cycle of study, in particular for admission procedures, conduct and evaluation of studies, recognition of qualification and completion of studies (Article 5);
- Study programme teachers. It should be guaranteed, among other things, that the selection of university teachers is transparent, objective and carried out on the basis of pre-known requirements and criteria (Article 6);
- Creative work of higher education. Teachers providing the profile subjects of the study programme need to demonstrate the results of the creative activity in the relevant field(s) in which the study programme takes place. (Article 7);
- Programme resources and student support. It needs to be guaranteed, among other things, that sufficient spatial, material, technical and information resources for the study programme are provided to guarantee the achievement of the objectives and learning outcomes set. (Article 8);
- Collection and processing of information on the study programme. It should be guaranteed, among other objectives, that the university collects, analyses and uses relevant information for the efficient management of the study programme and other activities (Article 9);
- Publication of study programme information. Universities need to guarantee publishing easily accessible and transparently structured information on the study programme, in particular on its learning objectives and outcomes (Article 10);
- Continuous monitoring, periodic evaluation, and periodical approval of study programmes. It needs to be guaranteed, among other things, that study programmes

are continuously monitored, periodically evaluated, and approved (Article 11).

Five academics with high-quality scientific outputs are needed for accreditation, as well as the implementation of a student-centred quality education system.

According to the Standards for the Study Programmes, five academics with high-quality scientific outputs are needed for accreditation. In compliance with Article 7(2) of the Standards for the Study Programmes, the university demonstrates creative activity through significant outputs of creative work by teachers responsible for profile subjects of the study programme. This may include any output of research, development, artistic or other creative work, such as scientific and professional articles, monographs, textbooks, works of art, exhibitions. Procedurally, the university selects teachers and outputs in such a way that for each teacher, 5 outputs are submitted (Article 7(2) subparagraph (a)). Overall, the university needs to submit a total of 25 outputs for a study program for accreditation. Requiring five lecturers to provide creative outputs constitutes a clear tightening of the standards, which previously defined only the need for three academics.

Article 4 of the Standards for Study Programmes and Article 4 of the Standards for the Internal Quality System outline the implementation of a student-centred education quality system. According to Article 4(4) of the Standards for the Study Programmes, the forms and methods used for teaching, learning and evaluating learning outcomes encourage students to take an active role in the learning process and in the development of academic careers. Article 4(a) of the Standards for the Internal Quality System maintains that the autonomy and creativity of students in education and learning will be encouraged in the implementation of study programmes, and this approach will also be reflected in the assessment of students.

Foreign assessors shall also be routinely involved in assessing compliance with accreditation standards for quality of education.

The list of reviewers is published on the Agency's website at this link: https://saavs.sk/wp-content/uploads/2023/01/zapis_do_zoznamu-30.1.2023.pdf. The list of assessors includes both foreign reviewers and practitioners. A person who is qualified to act as assessor should comply with the minimum requirements set out in Article 3(1) of the Principles. Pursuant to Article 8(3)(e) of the Principles for the enrolment in the list of assessors, removal from that list and the establishment of working groups (evidence ii), a foreign assessor, defined as evaluator who has a central professional activity abroad and does not work at a Slovak university when taking up post as assessor, should be a member of the working group. According to Article 2 of the Principles, a person may be included in the list of assessors for a period of 6 years, including repeatedly. The content of requests for verification of compliance of internal quality systems and university curricula with accreditation standards will be evaluated by an external working group composed of both domestic and foreign assessors. Each university will be assessed by a different expert working group set up to cover, in particular, the focus of the university concerned.

Stricter rules shall lead to a reduction in the number of study programmes, greater diversification and profiling and greater student orientation, as universities shall concentrate on programmes where they may deliver the highest quality of education.

The more stringent rules have led to a significant reduction in study programmes. Universities were required by Law No. 269/2018 paragraphs 37(1) and 39(2), which entered into force, respectively, on 1 January 2021 and 1 January 2022, to align their internal quality system with the new standards by August 2022 and subsequently to submit the request for check of compliance by the end of 2022. The

number of standard study programmes has decreased from 6678 at the beginning of the reform implementation (1 September 2021) to 3680 standard curricula (31 December 2022). Universities closed down 2998 standard curricula, 44.9% of their initial amount, as shown in the Copy of the list of study programmes. During the period of aligning with the new standards (2021-2022), universities have adapted their study programmes to demonstrate a high quality of education with a strong student-centered learning and learning needs. The new standards also support the profiling and diversification of the Slovak higher education system, as they incentivise universities to only provide study programmes in which they can ensure compliance with the tightened standards.

Furthermore, in line with the description of the measure, **a new system shall require that universities involve students, external stakeholders (in particular employers) in the design, monitoring and adjustment of curricula, and that universities monitor student progress and needs, graduate uptake and overall student satisfaction.**

Article 3(1) of the Standards for Study Programmes requires that the study programme be approved in accordance with the formalised processes of the internal system and guarantee an independent, unbiased, objective, professionally sound, transparent and fair approval of the study programme involving students, employers and other stakeholders. According to Article 3(2) sub-paragraph (a) of the Standards for the Internal Quality System, policies, structures and processes for the design, modification and approval of study programmes guarantee the involvement of students, employers and other relevant stakeholders.

Furthermore, according to Article 9(3) of the Standards for the Study Programmes, the study programme tracks and evaluates key indicators of education and learning, the characteristics of candidates and students, the progression of students in study, student satisfaction, graduate uptake, and student support. Pursuant to Article 9(4), students, teachers, employers and other study programme stakeholders will be involved in obtaining analyses as well as follow-up information on the measures.

Furthermore, in line with the description of the measure, **the Slovak Accreditation Agency for Higher Education (SAAVŠ) shall have external supervision of the implementation of these rules. The SAAVŠ shall also use the foreign assessors and practitioners in the assessment of university programmes.**

According to Article 4(2) of the Principles for the enrolment in the list of assessors, removal from that list and the establishment of working groups ("Principles"), the Slovak Accreditation Agency for Higher Education (SAAVŠ) will register and comprehensively assess the candidates' eligibility as assessor, the content requirements and the candidate's requirements for inclusion on the list of assessors. Also, in order to oversee compliance with the Agency's internal quality assurance system, an authorised member of the Executive Board of the Agency may participate in the monitoring of the work of the working group (Article 7(8) of the Principles). The Agency is required to carry out an ongoing quality check of the assessors' activities.

The working groups will be composed of national and foreign assessors, students and representatives of employers or professional organisations. When setting up working groups, the competences and experience of assessors will be evaluated. The composition of the working group is available at https://saavs.sk/wp-content/uploads/2023/01/zapis_do_zoznamu-30.1.2023.pdf.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C9.M2 | Related measure: SK-C[C9]-R[R1]: Reform of governance, evaluation and support in science, research and innovation | |
| Name of the Milestone: Design of the National overarching RDI Strategy | | |
| Qualitative Indicator: Adoption of the National RDI Strategy by the government | | Time: Q3 2022 |
| <p>Context:</p> <p>The objective of this reform is to enhance the research, development and innovation (hereinafter referred to as “RDI”) structure, as well as strengthen and professionalise inter-ministerial coordination of RDI policies by creating a new overarching governance structure at the Government Office, composed of the Government Council for Science, Technology and Innovation (STI) and the Secretariat created under the Government Office.</p> <p>Milestone C9.M2 concerns the approval of the National Strategy for Research, Development and Innovation (RDI) to become an overarching document for all public funding of RDI by 2030.</p> <p>Milestone C9.M2 is the second and last milestone of the reform and it follows the completion of milestone C9.M1 related to the amendment to Act No. 172/2005 on the organisation of state support for Research and Development, for strengthening the coordinating role of the new governance structure for RDI, as well as establishing its responsibilities and processes to enable more effective and consistent strategic and methodological coordination of public interventions.</p> | | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including all constitutive elements) was satisfactorily fulfilled; ii. Copy of the Resolution of the Slovak Government No. 134/2023 approving the National RDI Strategy 2030, approved on 28 March 2023; iii. Copy of the National RDI Strategy ‘A Slovakia that Believes in Itself’, approved and entered into force on 28 March 2023; iv. Copy of the English version of the National RDI Strategy, approved and entered into force on 28 March 2023; v. Copy of Annex 1 of the National RDI Strategy: Action Plan of the National RDI Strategy, approved and entered into force on 28 March 2023. <p>The authorities also provided:</p> <ol style="list-style-type: none"> vi. Copy of the Resolution of the Government Council for Science, Technology and Innovation of 18 September 2023 approving the Binding Methodology for Management, Financing and Evaluation of RDI Support; vii. Binding methodology for Management, Financing and Evaluation of RDI Support, approved on 18 September 2023 and entered into force on 25 September 2023; viii. Copy of the Research and Innovation Authority’s Methodological Guidance on selected aspects of the assessment of applications for funding from the RRP, published by the Office of the Government on 9 May 2023; ix. Copy of the minutes from meetings of the Board of the Agency for the Promotion of | | |

- Research and Development** from 30 January 2023 and 25 April 2023, including in Annex a list of approved international expert panels for the Agency's general call;
- x. **Copy of the Research and Innovation Strategy for Smart Specialisation of the Slovak Republic**, approved by the Slovak Government on 19 November 2021;
 - xi. **Copy of the description of the selection process of the members of the Government Council for Science, Technology and Innovation** by an international panel of experts, meeting of 5 October 2022;
 - xii. **Copy of the new composition of Government Council for Science, Technology and Innovation**, 30 January 2023;
 - xiii. **Copy of the OECD study 'Promoting research and innovation in the Slovak Republic through an effective use of European funds'**, published on 31 August 2021;
 - xiv. **Copy of the document 'Lessons learnt' from the World Bank: 'Slovakia Catching-up regions: Connecting Industry and R&D in the Banská Bystrica Self-Governing Region'**, published in February 2021;
 - xv. **Copy of the analysis of the budgetary implications of the National RDI Strategy;**
 - xvi. **Copy of Annex 4 of the National RDI Strategy**, describing the participatory process of the preparation of the strategy;
 - xvii. **Web link to the published calls under Component 9**, published between May 2022 and October 2023.
 - xviii. **Copy of the Act No. 172/2005** on the organisation of State support for Research and Development amended by Act No. 137/2022, version of the amendment published in the Official Journal of 22 April 2022, entered into force on 25 April 2022 (Article 7);
 - xix. **Copy of the Act No. 137/2022** amending Act No. 131/2002 on higher education institutions published in the Official Journal of 22 April 2022, entered into force on 25 April 2022 (Article 7);
 - xx. **Copy of the Act No. 575/2001** on the organisation of government activities and the organisation of central state administration amended by Act No. 137/2022, version of the amendment published in the Official Journal of 22 April 2022, entered into force on 25 April 2022 (Article 7 of the Act 137/2022);
 - xxi. **Copy of the Organigram of the Government Office of the Slovak Republic;**
 - xxii. **Copy of the Government Resolution No. 460/2022** on the Statute of the Government Council on research, technology and innovation adopted on 13 July 2022;
 - xxiii. **Copy of the Statute of the Government Council on Science, Technology and Innovation** adopted on 13 July 2022;
 - xxiv. **Copy of the Study on Principles for Grant Support for Research, Development and Innovation** published by the Value for Money Unit of the Ministry of Finance of the Slovak Republic in August 2022;
 - xxv. **Copy of the Updated summary on the state of implementation of the National RDI Strategy** presented to the Government Council for Science, Technology and Innovations on 18 September 2023;
 - xxvi. **Copy of the Act No. 305/2023 amending Act No. 368/2021 on the Recovery and Resilience Facility**, version of the amendment published in the Official Journal of 26 July 2023, entered into force on 1 August 2023 (Article 2).

Analysis:

The justification and substantiating evidence provided by the Slovak authorities cover all constitutive elements of the milestone. In particular:

The Government shall approve the National Strategy for Research, Development and Innovation (RDI) to become an overarching document for all public funding of RDI by 2030. Furthermore, in

line with the description of the measure, **the government shall adopt the Strategy by 30 September 2022.**

On 28 March 2023, The Government approved, through the Resolution of the Slovak Government No. 134/2023 published on the 'Open Government Portal' website of the Office of the Government, the National RDI Strategy, together with an Action Plan listing 91 measures to be implemented by 2026.

The National RDI Strategy is a comprehensive, overarching document, covering all aspects of a coordinated national RDI policy, including any related public funding, by 2030. It is composed of the following Chapters:

- i. Investments in a High-Quality System, including Sub-Chapters 1.1 Coordination of Activities and Competences, 1.2 Simplification of Processes, and 1.3 Adequate Financing;
- ii. Concentration of Talent, including Sub-Chapters 2.1 Supporting Young People, 2.2 Attracting and Developing Experienced Talent, and 2.3 Quality of Life;
- iii. Direction of Resources and Effort, including Sub-Chapters 3.1 Management through Missions, 3.2 Primary Research, 3.3 Value Chains, 3.4 Identifying Focus Points of Quality, and 3.5 Social Innovation.

The Council Implementing Decision required the adoption of the Strategy by the government by 30 September 2022. The Strategy was adopted on 28 March 2023, in advance of the third payment request, with the additional drafting and consultation time having contributed to the high quality of the document.

The National RDI Strategy shall provide a strategic framework and direction for RDI policy, define objectives and measures to achieve them.

The National RDI Strategy defines three main areas of intervention, which set the strategic framework and direction for RDI policy in Slovakia:

- Investing in a quality system: the main objectives under this area address more effective coordination, clarification of competences and simplification of processes in order to improve the system of redistribution and absorption of funds in support of RDI
- Talent: the main objectives under this area address developing domestic talent, attracting and retaining existing talent from abroad, as well as targeted improvements of quality of life and work in Slovak cities where the vast majority of resources for RDI are concentrated
- Prioritisation: a comprehensive framework for prioritisation in RDI support, given that Slovakia is a small, highly industrialised country that has to concentrate its talent and resources in a strategic way

The National RDI Strategy also defines three main measurable objectives. By 2030, Slovakia is to: i) advance in the ranking of the European Innovation Scoreboard by ten rungs; ii) increase private expenditures on research and development to 1.2% of GDP from today's 0.5% of GDP; and iii) invest at least 2 % of GDP in research and development (page 6 of the Strategy). More detailed objectives to be achieved by 2030 are listed further in the document, notably on pages 8-9, according to the relevant chapters of the National RDI Strategy. The National RDI Strategy also includes, as Annex 1, an Action Plan listing 91 concrete measures to be implemented by 2026, including their financing outlook by 2030. Monitoring and evaluation of the performance of the tasks that result from the Action Plan will be presented annually to the government. By the end of 30 June of each year, the entities involved in the implementation of the Strategy will submit information on the performance of related tasks. The processing and evaluation of their achievement will take place at the Government Office of the Slovak Republic, which will subsequently prepare a comprehensive report on the implementation of the National Strategy (page 7 of the Strategy).

Furthermore, in line with the description of the measure, **the reform includes the adoption of a new National Strategy for RDI to provide a strategic policy direction, objectives and tools to apply to all types of public support, including national and EU funds, in a consistent and complementary way.**

The consistency and complementarity of policies, objectives and instruments is embedded throughout the Strategy, on the basis of Act No. 172/2005 on the organisation of State support for Research and Development, as amended by Act No. 137/2022, which constituted the main element of the first part of this reform, assessed positively under the second payment request. The Action Plan accompanying the National Strategy sets out that measures are to be financed in a complementary manner from various sources of funding (RRP, Programme Slovakia, national budget). As measure 1.1.2.1 of the Action Plan, an inter-departmental budget programme will be created to ensure that RDI financing across ministries and relevant bodies will be coordinated, planned and negotiated jointly, and that the different actors will be aligned in their roles and objectives. The first interdepartmental budget programme is to be approved for the 2024-2026 budget by 30 June 2023 (National RDI Strategy, pages 13-14; Action Plan, page 12).

Furthermore, in line with the description of the measure, **in order to minimise inefficiencies, the principles of good governance and efficient funding shall be translated into a methodology to apply ex-ante into RDI investments.**

An accompanying Binding Methodology for Management, Financing and Evaluation of RDI support (hereinafter referred to as “Binding Methodology”) was adopted by the Government Council for Science, Technology and Innovation on 18 September 2023. It was published on 22 September and entered into force on 25 September 2023. The Binding Methodology ensures a standardised approach to all RDI calls, greater professionalism and transparency in the evaluation process and harmonisation of implementation. The basic principles of the Binding Methodology include drawing up a preliminary RDI financing plan, involvement of the Government Council for Science, Technology and Innovation in the preparation and approval of calls, uniformisation of the preparation and launching of calls, of the content of project applications, and of the evaluation and approval of applications, as well as monitoring of projects during and after implementation.

Furthermore, in line with the description of the measure, **the evaluation process shall be reformed to increase the use of panel and foreign evaluators and administrative processes shall be gradually streamlined.**

In Slovakia, foreign evaluators were traditionally invited for evaluations of RDI projects to a very limited extent and, if so, mainly from Czechia. This was inter alia due to the fact that there was no uniform evaluation system for all sources of funding, criteria and types of evaluations were not defined and there was no database of foreign evaluators or agreed remuneration arrangements. The Binding Methodology aims to simplify the related processes following the Horizon Europe model, create a database of foreign evaluators of RDI grants or ensure access to the database of Commission experts and increase the use of foreign evaluators. In Section 2.5, the Binding Methodology specifies that for calls offering grants above EUR 200 000 and if the rate of eligible costs exceeds 50%, the projects must be evaluated by foreign evaluators (defined as experts who do not have a full-time employment in Slovakia or Czechia). In Section 4.2.6, the Binding Methodology sets out the process of expert evaluation, including criteria for the evaluation thresholds, as well as the main types of expert evaluations of projects: i) individual evaluation by two evaluators, ii) majority evaluation by at least three individual evaluators; iii) consensual evaluation to be used in calls for medium-size or large projects which require individual evaluation by foreign evaluators but do not necessitate a comparison of all submitted projects; and iv) expert evaluation via the use of a foreign expert panel, which is an additional step to a consensual evaluation, the results of which are presented to the panel

which ranks all projects under the call. The foreign expert panel has at least five members and a Chair and may ask applicants to present their project proposals and clarify any questions.

A Methodological Guidance on selected aspects of the assessment of applications for funding from the RRP (in force since 9 May 2023) was developed by the Research and Innovation Agency, containing all good practice principles that were ultimately included in the Binding Methodology, allowing to apply them to calls already under way before the adoption of the latter. All calls under Component 9 were launched in accordance with this methodology. On this basis, nine calls will be evaluated by foreign evaluators. In order to facilitate such evaluation, the Recovery and Resilience Facility Act (Act No. 368/2021) was amended with effect from 1 August 2023, allowing the implementing body to specify in the call that the application or part of it should be submitted in English (newly inserted paragraph 15(8)).

The National RDI Strategy (Section 1.2.1, pages 16-18), the Action Plan (pages 15-22), as well as the Binding Methodology describe the need to streamline administrative processes. The Strategy lists six main interventions in this respect, aiming to create a grant funding system that is simple, transparent, predictable and results-oriented, and thus will significantly reduce the burden on researchers and companies at all stages of the process and allow them to focus on results. This includes processes at all stages of preparation, submission and evaluation of projects. For instance, grant schemes with lower allocations will have correspondingly simpler evaluations and controls. At the same time, audit and inspection bodies will be encouraged to adopt the established practices of advanced economies to build up also domestic expertise for auditing research and innovation projects, which differ in some characteristics from other types of projects, such as large construction and other investments. The Binding Methodology also gives detailed recommendations on using the simplified cost reporting system, based on the Commission Notice Guidelines on the use of simplified cost options within the European Structural and Investment Funds (Chapter 2.5, page 12).

The National RDI Strategy shall reflect on past experiences and offer the horizontal framework to integrate existing strategies (such as Smart Specialisation Strategy). Furthermore, in line with the description of the measure, the new RDI strategy and measures shall take into account the revised Smart Specialisation Strategy to foster thematic concentration as well as recommendations of recent studies such as OECD to improve RDI investment implementation and “lessons learnt” from the Cohesion policy programming periods.

In each chapter, the National RDI Strategy takes stock of past experiences, on the basis of primary and secondary sources, takes into account recommendations/‘lessons learnt’ and integrates them into the Strategy’s objectives and measures.

Primary sources include almost 100 in-depth interviews with researchers, innovative firms and representatives of the Slovak research and innovation ecosystem, as well as the input of 90 representatives of the research and innovation ecosystem who had the opportunity to propose and/or co-create measures for the Action Plan at the ‘Festival of Innovative Slovakia’. Secondary sources include various analyses and reports on the Slovak research and innovation system. An important one was the OECD analysis ‘Promoting research and innovation in the Slovak Republic through an effective use of European funds’ (2021), which analysed the lessons learnt from the Cohesion policy programming periods and which formed the basis for Chapter 1.2.1 of the National RDI Strategy and for the relevant measures of the Action Plan (pages 15-22). The Strategy also uses the findings of the ‘Study on Principles for Grant Support for Research, Development and Innovation’ (2022) by the Value for Money Unit of the Ministry of Finance of the Slovak Republic.

The National RDI Strategy clearly indicates its relationship with the Smart Specialisation Strategy:

'One of the important analytical starting points of this strategy that identified the mentioned problems and challenges is the Research and Innovation Strategy for Smart Specialisation of the Slovak Republic for the years 2021-2027' (page 5). The Smart Specialisation Strategy or 'RIS3' defines the key areas of RDI specialization in Slovakia and thus complements the National RDI Strategy with thematic areas. The five defined areas of RIS3 are: a) innovative industry for the 21st century; b) mobility for the 21st century; c) digital transformation of Slovakia; d) a healthy society; e) healthy food and environment. Another important step in connecting the two strategies was the agreement with the European Commission to create a joint Action Plan for the Smart Specialization Strategy and the National Strategy, which confirmed the role of the National Strategy as an umbrella document in the field of RDI. In total, such connection concerns 64 of the 91 measures of the Action Plan. The Smart Specialisation Strategy is based on the so-called Entrepreneurial Discovery Process, the continuation of which is specifically addressed by the strategy in Chapter 3.1 (page 49).

Other strategic documents that the National RDI Strategy reflects on include the Strategy for Lifelong Education and Counselling for the years 2021-2026, the Action Plan for the Digital Transformation of Slovakia for the years 2023-2026 or the upcoming Action Plan for Smart Cities and Regions.

Furthermore, in line with the description of the measure, **the implementation of the reform shall be completed by 30 September 2022.**

The Council Implementing Decision required the implementation of the reform by 30 September 2022. The National RDI Strategy was adopted on 28 March 2023 and the Binding Methodology was adopted on 18 September 2023, entering into force on 25 September 2023, ahead of the third payment request, with the additional drafting and consultation time having contributed to the high quality of the documents and efficient implementation of the reform.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C9.M4 | Related measure: SK-C[C9]-I[I1]: Promoting international cooperation and participation in Horizon Europe and EIT projects | |
| Name of the Milestone: Launch of calls for projects to support the participation of Slovak actors in Horizon Europe | | |
| Qualitative Indicator: Launch of at least three calls for projects to support the participation of Slovak actors in Horizon Europe | | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this investment is to enable greater participation of Slovak institutions, researchers and companies in cutting-edge projects of the European Research Area (ERA), in the context of the current very low participation of Slovak actors in international and European research and innovation programmes. The overall approach is to support high quality projects, which receive a very high score in ERA programmes, but are left with no funding.</p> <p>Milestone C9.M4 concerns the launch of at least three calls to support the participation of Slovak actors in Horizon Europe programme.</p> <p>Milestone C9.M4 is the first step in the implementation of the measure, and it will be followed by target C9.T5 related to financial support for applications and participating projects in Horizon Europe programmes, under calls funded by the RRF.</p> <p>The investment has a final expected date for implementation on 30 June 2026.</p> | | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. A summary document duly justifying how the target (including all constitutive elements) was satisfactorily fulfilled; ii. Copy of the call to support projects awarded the Seal of Excellence label, as amended (hereinafter referred to as 'Call 1') of 8 March 2023, open until 31 March 2023 or until exhaustion of funds. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: https://vaia.gov.sk/sk/2023/03/08/vyzva-na-predkladanie-ziadosti-o-poskytnutie-prostriedkov-mechanizmu-zamerana-na-podporu-projektov-ktorym-bola-udelena-znamka-excelentnosti-za-kvalitu-seal-of-excellence/; iii. Copy of the call to support the preparation of projects under Horizon Europe (hereinafter referred to as 'Call 2') of 28 April 2023, open until 31 October 2025 or until exhaustion of funds. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: https://vaia.gov.sk/2023/04/28/vyzva-na-predkladanie-ziadosti-o-poskytnutie-prostriedkov-mechanizmu-na-podporu-obnovy-a-odolnosti-podpora-pripravy-projektov-v-horizonte-europa/; iv. Copy of the call to award matching grants to complement resources raised under Horizon | | |

2020 and Horizon Europe (hereinafter referred to as 'Call 3') of 4 July 2023, open until 5 September 2023 in the first round, until 3 January 2024 in the second round, until 3 April 2024 in the third round and until 27 June 2024 in the fourth round. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/2023/07/04/vyzva-matching-granty-ku-zdrojom-ziskany-m-v-ramci-programu-horizont-2020-a-horizont-europa/>;

- v. **Copy of the call to support excellent Horizon Europe projects awarded the "Seal of Excellence" label or successfully evaluated by the European Commission** (hereinafter referred to as 'Call 4') of 8 August 2023, open until 31 December 2023 or until exhaustion of funds. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/sk/2023/08/08/podpora-excelentnych-projektov-horizontu-europa-ktore-ziskali-ocenenie-seal-of-excellence-alebo-presli-uspesne-hodnotenim-zo-strany-ek/>.

Analysis:

The justification and substantiating evidence provided by the Slovak authorities cover all the constitutive elements of the milestone. In particular:

At least three calls for projects shall be launched to support the participation of Slovak actors in Horizon Europe programme.

In line with the Council Implementing Decision, four calls have been published by the Research and Innovation Authority (for the purpose of this assessment, Call 1, Call 2, Call 3 and Call 4). Call 1 was published on 8 March 2023 with a total allocation of EUR 9 900 000. Its amended version was published on 20 October 2023, reflecting a more extended geographical scope, from the Bratislava region to the whole of Slovakia. Call 2 was published on 28 April 2023 with a total allocation of EUR 7 270 000. Call 3 was published on 4 July 2023 with a total allocation of EUR 9 960 000. Call 4 was published on 8 August 2023 with a total allocation of EUR 10 716 000.

All four published calls support the participation of Slovak actors in Horizon Europe and ensure compliance with the DNSH principle through the imposition of a list of excluded activities and assets, specification that all activities under the supported projects must be carried out in accordance with the relevant EU and national environmental legislation, and signature of the applicant of the following statement, verifying that 'the activities and assets proposed in the application are in accordance with the "do no significant harm" principle, they are not among the activities and assets excluded from support and that all activities carried out in the context of the project will be carried out in accordance with the relevant EU and national legislation'. (Call 1, Condition B8, page 7; Call 2, Condition I, page 11; Call 3, Condition K, page 14; Call 4, Condition J, page 10)

Scheme to support the preparation of applications for Horizon Europe

Call 2 that supports the preparation of applications for projects under Horizon Europe was launched to stimulate and increase the participation of Slovak actors in Horizon Europe, given that their participation in EU research programmes has long been not only below the EU average, but also that of neighbouring countries. The call provides reimbursement of costs for project preparations that

were submitted by applicants to calls under Horizon Europe and whose project proposals have received at least 50% of the maximum possible points to be earned in an evaluation. The aim of the call is to increase the number of high-quality Slovak projects submitted in Horizon Europe calls, as well as to motivate Slovak researchers and companies to become more actively involved in calls that enable their participation in international consortia. (Call 2, page 2).

Scheme to support projects that have obtained a Seal of excellence or a high score.

Call 1 and Call 4, as described below, satisfy the constitutive elements of the milestone in relation to support of projects that have obtained a Seal of excellence or a high score in a Horizon Europe programme. Call 1 focuses on European Innovation Council projects, while Call 4 focuses on projects under other Horizon Europe schemes. As one of the eligibility criteria, the projects must have received either a Seal of excellence (Call 1, Condition 8, page 7) or a Seal of excellence or high score as defined in the call (Call 4, Condition E, page 7-8) and described below.

In line with the description of the measure, at least three calls for projects shall be launched for the following schemes: [...] **projects participating in the European Innovation Council scheme with the “Seal of Excellence” award.**

Call 1 supporting projects having received the Seal of Excellence award was launched to support projects that have successfully passed the European Innovation Council (EIC) evaluation under the European Innovation Council Accelerator and European Innovation Council Transition calls as of 1 January 2021 and have received a Seal of Excellence award. The call will contribute to supporting excellent Slovak firms that managed to succeed at the European level but could not be supported by the European Innovation Council due to the low availability of funds in the relevant call (Call 1, Condition B.8, page 7).

Furthermore, in line with the description of the measure, at least three calls for projects shall be launched for the following schemes: **projects awarded by the “Seal of Excellence”/threshold projects (such as Marie Skłodowska-Curie Actions Postdoctoral Fellowships, Teaming, European Research Council scheme with evaluation A in the second round) [...].**

Call 4 supporting excellent Horizon Europe projects awarded the “Seal of Excellence” label or successfully evaluated by the European Commission was launched to support high-quality projects evaluated in selected calls of the Horizon Europe programme, namely: the European Research Council (ERC – Starting grant, Advanced grant, Consolidator grant), Marie Skłodowska-Curie Actions (MSCA Postdoctoral Fellowships – with the exception of Global Fellowships) and Widening participation and strengthening the European Research Area (ERA Chair grants). Support under the call will go to projects of researchers and research organizations that had not been funded under the above-mentioned Horizon Europe calls but received the Seal of Excellence award or an alternative evaluation score demonstrating the high quality of the project, as specified in the eligibility conditions of the call. These include the following: a score A in the second round of a European Research Council scheme, the minimum threshold of 70% under the MSCA Postdoctoral Fellowships programme, and the minimum threshold for positive assessment under the ERA Chair programme in calls in Widening Participation and strengthening the European Research Area (Call 4, Condition E, pages 7-8).

"Matching grants" for successful projects in H2020/Horizon Europe.

Call 3 awarding matching grants to complement resources raised under Horizon 2020 and Horizon Europe was launched to support primary and industrial research as well as experimental development by Slovak institutions that participated or participate in projects under Horizon 2020

and Horizon Europe. The support will take the form of matching grants that will provide complementary funding to the funding received from Horizon Europe of currently running Horizon Europe research projects or to Horizon Europe projects which were finalised no more than 12 months ago, to enable the continuation of related research and development. Matching grants may be awarded to Horizon 2020 or Horizon Europe projects under 'Research and Innovations Actions', 'Innovation Actions', 'Horizon ERC European Research Council Grants'; as well as to Coordination and Support Action projects under the scheme 'Widening participation and strengthening the European Research Area' ('Teaming for Excellence', 'Twinning', 'Excellence Hubs' and 'European Research Area Chairs'); and projects under the 'Marie Skłodowska-Curie Actions Postdoctoral Fellowships – European Fellowships'(Call 3, Condition E, page 9).

Furthermore, in line with the description of the measure, at least three calls for projects shall be launched for the following schemes: [...] **“matching grants” to research institutions or companies to leverage resources generated under Horizon 2020/Horizon Europe**

The conditions of Call 3 fulfil the above constitutive elements of the milestone. Eligible applicants are non-commercial research institutions and research infrastructures as well as legal entities with an assigned identification number according to Act No. 272/2015 Coll. on the register of legal entities, entrepreneurs and public authorities and on amendments to certain laws. For the purposes of the call, eligible applicants are classified according to the sectoral structure defined in Article 7 of the Act on State Support for Research and Development, which includes the commercial sector according to Article 2(2)(a) of the Commercial Code (Condition B, page 7 of Call 3).

The grants provided under the call 'match' the funds received by applicants under Horizon 2020 or Horizon Europe schemes, as described above, by leveraging the latter in two possible ways: complementary funding for the expansion of currently running projects (such as expansion of the original research, including purchase of infrastructure, technology transfer, etc.); and support for projects already completed (maximum one year after completion) to allow for the continuation of related research and development (Condition E, page 9 of Call 3).

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C9.M6 | Related measure: SK-C[C9]-I[I2]: Supporting cooperation between companies, academia and R & D organisations |
| Name of the Milestone: Launch of calls for projects to support cooperation between companies, academia and R&D organisations and vouchers | |
| Qualitative Indicator: Launch of calls for projects to support cooperation between firms, academia and R&D organisations and vouchers | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this investment is to mobilise private participation in research, development and innovation (RDI) and increase the share of innovative businesses, especially in the area of digital innovation, supporting a wider role of the private sector, capacity building as well as networking with research organisations.</p> <p>Milestone C9.M6 concerns the launch of at least four calls in compliance with the DNSH principle to support cooperation between companies, academia and R&D organisations and to support vouchers schemes.</p> <p>Milestone C9.M6 is the first step of the implementation of the investment, and it will be followed by targets C9.T7 and C9.T8, related to the number of collaborative projects and vouchers supported.</p> <p>The investment has a final expected date for implementation on 30 June 2026.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. A summary document duly justifying how the target (including all constitutive elements) was satisfactorily fulfilled; ii. Copy of the call Matching grants to resources received from the private sector in the framework of research cooperation (hereinafter referred to as ‘Call 1’) of 23 June 2023, open until 27 September 2023 in the first round and until 26 September 2024 in the second round. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: https://vaia.gov.sk/2023/06/23/matching-granty-ku-zdrojom-ziskanym-od-sukromneho-sektora-v-ramci-vyskumnej-spoluprace/; iii. Copy of the call Transformation and innovation consortia (hereinafter referred to as ‘Call 2’) of 12 June 2023, open until 4 October 2023. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: https://vaia.gov.sk/2023/06/12/vyzva-transformacne-a-inovacne-konzorcia/; iv. Copy of the call to support cooperation between businesses and research centers – Innovation vouchers (hereinafter referred to as ‘Call 3’) of 14 July 2023, open until exhaustion of funds or until the contracting authority decides to close the call. The summary document provided a link to the publication of the scheme and its annexes, including | |

technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/2023/07/14/vyzva-inovacne-vouchery/>

- v. **Copy of the call to support cooperation between businesses and research centres – Digital vouchers** (hereinafter referred to as ‘Call 4’) **of 14 July 2023**, open until exhaustion of funds or until the contracting authority decides to close the call. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/2023/07/14/vyzva-digitalne-vouchery/>

Analysis:

The justification and substantiating evidence provided by the Slovak authorities cover all the constitutive elements of the milestone. In particular:

At least four calls for projects shall be launched in compliance with the DNSH principle to support cooperation between companies, academia and R&D organisations and to support voucher schemes.

Four calls have been published by the Research and Innovation Authority (for the purpose of this assessment, Call 1, Call 2, Call 3 and Call 4). Call 1 was published on 23 June 2023 with a total allocation of EUR 39 144 000. Call 2 was published on 12 June 2023 with a total allocation of EUR 107 928 000. Call 3 was published on 14 July 2023 with a total allocation of EUR 9 146 400. Call 4 was published on 14 July 2023 with a total allocation of EUR 14 634 000.

All calls support cooperation between the private sector, academia and research organisations by supporting a stronger role of the private sector in research and innovation activities and motivating research organisations in pursuing collaborations across sectors. This is demonstrated through the objectives of the calls to i) enable and encourage cooperation and joint projects between research organisations and the private sector, ii) strengthen the research and innovation environment in Slovakia by supporting a small number of clearly defined transformative and innovative consortia, and iii) stimulate the digitalisation of services and processes for small and medium enterprises (SMEs) and businesses.

All four calls ensure compliance with the Do Not Significant Harm (DNSH) principle through the imposition of a list of excluded activities and assets, specification that all activities under the supported projects must be carried out in accordance with the relevant EU and national environmental legislation, and signature of the applicant of the following statement, verifying that ‘the activities and assets proposed in the application are in accordance with the "do no significant harm" principle, they are not among the activities and assets excluded from support and that all activities carried out in the context of the project will be carried out in accordance with the relevant EU and national legislation’. In the case of Call 2, the applicant will describe compliance with DNSH principles in the project description, which will be subject to an expert assessment.

‘Matching’ grants to research institutions to leverage resources raised from the private sector in the framework of research collaboration.

Call 1 awards grants to public research institutions which demonstrate past collaboration with the

private sector. The relevant past project is considered as the basis for calculating the matching grant. Eligible projects include i) contractual research, ii) joint research (financing from the private sector partner), which cannot be a common project financed from public sources; and iii) licensing of intellectual property. The collaboration must be demonstrated by relevant documentation (such as invoice, contract) and by proof of payment of the funds resulting from the collaboration on the applicant's bank account (page 8 of Call 1).

Furthermore, in line with the description of the measure, **this scheme shall encourage academic and research organisations to seek more private partnerships.**

Call 1 supports and stimulates cooperation and joint projects between research organisations and the private sector, by rewarding their past RDI cooperation. Applicants will be able to use the funding received under the call to purchase or improve research infrastructure and equipment, with the aim to increase the potential for future collaboration between research organisations and the private sector (page 1 of Call 1).

Establishing “transformative and innovative” consortia.

The objective of Call 2 is to support the establishment of a small number of clearly defined transformation and innovation consortia that will connect public and private actors from Slovakia with top institutions from abroad (with a link to the European Research Area) (page 1 of Call 2).

Furthermore, in line with the description of the measure, **the measure of creating at least two “transformative and innovative consortia” shall aim to generate new RDI activities in key sectors of the economy with the greatest innovation potential.**

The objective of Call 2 is to generate new research and innovation activities and projects across the innovation chain (page 1 of Call 2). The projects under the call must support the transformation of key sectors of the economy with high innovation potential, which will be defined by the applicants themselves in the applications submitted. According to the eligibility and quality conditions of the call, the applicant must, *inter alia*, i) define and describe in detail the specific area of the proposed project, its transformation potential, such as the impact on the economy and/or society, its connection to the European Research Area and justify the need/advisability of solving such a project in Slovakia (Condition 3 a), page 6 of Call 2), and ii) justify, based on analysis, why the chosen area/sector of the economy of the proposed project have significant research and innovation potential for Slovakia (Condition 3 b), page 6 of Call 2). This will be assessed by the panel of experts.

Voucher support schemes, which include innovation vouchers and digital vouchers.

Under Call 3, small grants of up to EUR 15000 are awarded for so-called ‘innovation vouchers’, which allow SMEs to contract the services of research and innovation organisations in order to start or enhance their innovation activities (page 1 of Call 3; Condition 11, page 11 of Call 3).

Under Call 4, small grants of up to EUR 15000 are awarded for so-called ‘digital vouchers’, which allow SMEs to contract the services of other businesses or organisations in order to support the digitalisation of their services and processes (page 1 of Call 4; Condition 11, page 10-11 of Call 4).

Furthermore, in line with the description of the measure, **the “voucher” support schemes shall facilitate the transfer of knowledge, technologies and innovation and to enhance the cooperation with business sector. Two types of the voucher schemes are proposed: i) innovation voucher (including patent activities) – to stimulate SMEs cooperation with research organisations, or with**

municipalities, ii) digital voucher – to stimulate the digitalisation of services and processes for SMEs and enterprises.

Call 3 stimulates cooperation between, on the one hand, SMEs that have the potential to increase their competitiveness through innovation in their own products, services and/or processes and, on the other hand, research institutions, universities, private R&D service providers and municipalities. This may include, for example, contract R&D services, expert testing, or various parameter measurements and analytical outputs for the needs of enterprises with a direct impact on production. The support provided under the call will address a specific problem or requirement of the applicant related to their innovation activities, through provision of expert and support services in the field of innovation from organizations accredited for research and development. Under the call, it will also be possible to reimburse the applicant's expenses for administrative and renewal fees related to the filing of applications for the protection of industrial property rights in Slovakia and abroad (page 1 of Call 3; Condition 8, page 8 of Call 3).

Call 4 stimulates the digitalisation of services and processes for SMEs and businesses by providing support to tailor-made solutions for businesses (the aim is to develop a proposal for an individualised solution, but not its actual implementation) in specific areas of digitalisation: cyber security, artificial intelligence, automation and digital processes, cloud technologies, optimization of internal processes, data and analytics, electronic commerce (e-commerce), digitalization of industry and production, digitalization of finances, digitalization of the Internet of Things (IoT). A wide range of possible providers of solutions, including other firms, digital innovation hubs, universities or even municipalities, will make it possible to identify opportunities for digitalising processes and services, thus contributing to kick-starting a digital transformation that will fundamentally change the functioning of firms and provide value to customers (page 1 of Call 4; Condition 8, page 8 of Call 4).

Furthermore, in line with the description of the general measure, **the investment shall support a wider role of the private sector, capacity building as well as networking with research organisations.**

This objective is met through the publication of Call 2, which aims to generate transformative R&I activities, new collaborations and projects in key sectors of the economy with a high innovation potential, to mobilise private sector investment in RDI, and to connect relevant actors across the innovation chain. The call also aims to promote new collaborations, as the participation of actors from different sectors (academic, private) as well as foreign partners is a prerequisite (Condition 3 h), j), page 6-7 of Call 3). Capacity building in the transformation and innovation consortia is also strongly supported under this call, as part of the eligibility conditions (Condition 3 i), j), k), page 7 of Call 2).

Similarly, Call 1 focuses on rewarding stimulating collaboration and joint projects between research organisations and the private sector, where applicants can use funds to purchase or improve research infrastructure and thus increase the potential for future collaboration.

Voucher support under Call 3 and Call 4 also contributes to this objective, where a wide range of RDI providers and other organisations will receive the opportunity for deeper cooperation with the private sector and on the other hand, the private sector will benefit from the experience and know-how of expert organisations in the fields of research and innovation and digitalisation, through funding provided to support contracts for services between the respective parties, as per the conditions of the relevant calls (page 1 of Call 3 and Call 4).

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C9.M9 | Related measure: SK-C[C9]-I[I3]: Excellent science |
| Name of the Milestone: Launch of calls to support excellent researchers | |
| Qualitative Indicator: Launch of calls for projects to support excellent researchers | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this investment is to create an internationally competitive environment for the best scientists, both in terms of salaries and the availability of attractive research schemes.</p> <p>Milestone C9.M9 concerns the launch of at least six calls are to be launched to support excellent researchers in compliance with the DNSH principle.</p> <p>Milestone C9.M9 is the first step of the implementation of the investment, and it will be followed by targets C9.T10 and C9.T11, related to the number of excellent researchers supported.</p> <p>The investment has a final expected date for implementation on 31 March 2026.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. A summary document duly justifying how the target (including all constitutive elements) was satisfactorily fulfilled; ii. Copy of the call on support to researchers at risk from the conflict in Ukraine (hereinafter referred to as 'Call 1') of 19 May 2022, open until 31 December 2022. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: https://vaia.gov.sk/2022/05/19/vyzva-na-podporu-vyskumnikov-ohrozenych-konfliktom-na-ukrajine/; iii. Copy of the call Scholarships for excellent PhD students (R1) (hereinafter referred to as 'Call 2') of 10 May 2023, open until 12 June 2023. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: https://vaia.gov.sk/2023/05/10/stipendia-pre-excelentnych-phd-studentov-a-studentky-r1/; iv. Copy of the call Fellowships for excellent researchers R2-R4 (hereinafter referred to as 'Call 3') of 27 June 2023, open until 28 September 2023. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: https://vaia.gov.sk/2023/06/27/stipendia-pre-excelentnych-vyskumnikov-a-vyskumnicky-r2-r4/; v. Copy of the call large projects for excellent researchers (hereinafter referred to as 'Call 4') of 29 June 2023, open until 28 September 2023. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the | |

eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/2023/06/29/velke-projekty-pre-excelentnych-vyskumnikov/>;

- vi. **Copy of the call Early-stage research grants** (hereinafter referred to as 'Call 5') of 22 September 2023, open until 31 December 2023 in the first round and until 29 February 2024 in the second round. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/sk/2023/09/22/early-stage-granty/>;
- vii. **Copy of the call Capital 'booster' for existing R&D support schemes** (below hereinafter referred to as 'Call 6') of 22 September 2023, open until 17 January 2024. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/sk/2023/09/22/kapitalovy-booster-pre-schemy-na-podporu-vyskumu-a-vyvoja/>

Analysis:

The justification and substantiating evidence provided by the Slovak authorities cover all the constitutive elements of the milestone. In particular:

At least six calls for projects shall be launched to support excellent researchers in compliance with the DNSH principle.

In line with the Council Implementing Decision, six calls have been published by the Research and Innovation Authority (for the purpose of this assessment, Call 1, Call 2, Call 3, Call 4, Call 5 and Call 6). Call 1 was published on 19 May 2023 with a total allocation of EUR 15 000 000. Call 2 was published on 10 May 2023 with a total allocation of EUR 10 980 000. Call 3 was published on 27 June 2023 with a total allocation of EUR 54 122 103. Call 4 was published on 29 June 2023 with a total allocation of EUR 58 863 200. Call 5 was published on 22 September 2023 with a total allocation of EUR 6 192 000. Call 6 was published on 22 September 2023 with a total allocation of EUR 15 804 000.

All calls support excellent researchers at different stages of their career and across all sectors of research and innovation, aiming to create high-quality conditions for research and researchers comparable to other countries, thus increasing the attractiveness of the research environment in Slovakia for both Slovak and foreign scientists. The calls establish a number of attractive schemes for excellent researchers which have so far not been available in Slovakia. Call 4 in particular creates conditions for internationally recognised researchers from both Slovakia and abroad to build and develop their own research teams carrying out research in Slovakia. Call 1, Call 2 and Call 3 place emphasis on attracting and supporting excellent PhD students and scientists across all research sectors, contributing to the development of an internationally competitive environment. This is intended to reduce the outflow of research talent abroad while at the same time attracting it to Slovakia.

All calls ensure compliance with the Do Not Significant Harm (DNSH) principle mainly through the imposition of a list of excluded activities and assets, specification that all activities under the supported projects must be carried out in accordance with the relevant EU and national environmental legislation, and signature of the applicant of the following statement, verifying that 'the activities and assets proposed in the application are in accordance with the "do no significant

harm" principle, they are not among the activities and assets excluded from support and that all activities carried out in the context of the project will be carried out in accordance with the relevant EU and national legislation'. In the case of Call 4, the applicant will describe compliance with DNSH principles in the project description, which will be subject to an expert assessment in the context of peer review by foreign experts.

Fellowships for first stage researchers – R1

Call 2 provides grant awards to attract and support excellent PhD students (R1), to support their research activities in high-quality workplaces in Slovakia, and to support the creation of an internationally competitive environment for the best scientists (Call 2, page 1). Eligible applicants are public research institutions and universities which have reached certain quality threshold indicators as per the eligibility criteria of the call (Condition B, page 5 of Call 2). The expected impact of the call is to improve the quality of doctoral studies, increase internationalisation, thereby increasing the attractiveness of full-time doctoral studies and the quality of research in universities and eligible research institutions. (Call 2, page 1)

Fellowships for recognised researchers – R2, Fellowships for established researchers – R3, Fellowships for leading researchers – R4

The above three constitutive elements of the CID Annex covering three different target groups (R2, R3, R4) have been merged into one call (Call 3) to reduce administrative burden, as all other eligibility conditions are the same for all the target groups. The objective of Call 3 is to support primary and applied research carried out in Slovakia by excellent national and foreign researchers in career stages R2 to R4. For the purpose of correct attribution, the applicant is required to rely on the description of the European Framework for Research Careers (available here: <https://euraxess.ec.europa.eu/europe/career-development/training-researchers/research-profiles-descriptors>). The call supports excellent scientists across all R&D sectors. The purpose of the call is to attract top foreign researchers and to prevent the outflow of domestic top scientists abroad. Support under this call will not only increase the attractiveness the Slovak research environment but will also impact the level of cooperation with scientific communities abroad (page 2 of Call 3).

In addition, in order to respond to the war in Ukraine, a dedicated call (Call 1) to cover all four target groups (R1, R2, R3, R4) has been launched as the very first call under the milestone in May 2022, in line with the objectives of the CID Annex. Call 1 supports researchers (including university professors) whose careers are at risk in the context of the conflict in Ukraine in their relocation to Slovakia. This is particularly the case for scientists from Ukraine, but also applicants from Russia, Belarus and Moldova are also eligible if they are at risk of conflict. The call is aimed at researchers at different stages of their careers – doctoral students (R1), postdoctoral students (R2), independent researchers (R3) and senior researchers (R4), who comply with minimum requirements as defined in the call. Eligible applicants are *inter alia* public research institutions, public and private higher education institutions as well as legal entities carrying out R&D activities with a focus on non-economic activities within the meaning of State aid rules. The applicants are entitled to a contribution towards stipend/salary costs of the researcher, a contribution to research as well as to indirect costs (page 1 of Call 1; Point 2.2, pages 4-5 of Call 1; Condition 3.1, page 6 of Call 1; Part 4, pages 7-8 of Call 1).

Large projects for excellent researchers

The objective of Call 4 is to attract or maintain individual excellent researchers and their teams to research institutions in Slovakia. Support will be directed towards developing research teams built around a particular excellent researcher. The call is open to internationally recognised researchers,

both from Slovakia and abroad, who will carry out their research in Slovakia. The aim of the support is to improve the quality of research and innovation in strategically defined areas, improve personal capacities and increase the international recognisability of research teams, making them more competitive when engaging in European projects. The projects must be in line with the smart specialisation domains defined in the Research and Innovation Strategy for Smart Specialisation RIS3 2021+ (page 2 of Call 4).

“Early stage” research grants

Call 5 supports doctoral candidates and early-stage researchers, through supporting internal institutional schemes in universities and the Slovak Academy of Sciences. The call will help kick-start the careers of young researchers and doctoral candidates in their field of science by funding early-stage research, encouraging their participation in scientific conferences and exchange of experiences from abroad. They will also gain experience for project submission in other national or European schemes (page 1 of Call 5).

Capital booster for existing R&D support schemes.

Call 6 supports, in a complementary manner, high-quality primary and applied research projects of research organisations that have received funding from the national Research and Development Agency in 2022. The complementary support under the call will allow eligible applicants to apply for a capital booster intended for the purchase of research infrastructure necessary for developing further the original project and increasing the quality of its intended solution (page 1 of Call 6).

Furthermore, in line with the description of the measure the **capital “booster” shall complement the existing schemes to finance capital expenditure of research projects.**

As described above, Call 6 supports projects that have received funding from the national Research and Development Agency in 2022. The call provides ‘booster’ funding for material/immaterial research infrastructure expenditure which is not eligible under the scheme of the Research and Development Agency (page 1, Call 6).

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C9.M12 | Related measure: SK-C[C9]-I[I4]: Research and innovation to decarbonise the economy |
| Name of the Milestone: Launch of calls for thematic demand-driven projects addressing the challenges of green transition | |
| Qualitative Indicator: Launch of calls for thematic demand-driven projects addressing the challenges of green transition | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this investment is to improve synergies in RDI topics between the national and EU levels as well as support the country's transition to the digital economy and focus on thematic areas under cluster 5 of Horizon Europe: "Climate, Energy and Mobility". The measure is meant to boost Slovak stakeholders' participation in international and European research and innovation programmes.</p> <p>Milestone C9.M12 concerns the launch of at least two thematic calls for demand-driven projects in compliance with the DNSH principle addressing the challenges of green transition, de-carbonisation as well as resilience and adaptation to climate change. The milestone requires that the calls are launched in accordance with topics in the thematic priorities of Horizon Europe, such as carbon-free energy, hydrogen, battery technologies and alternative fuels, low-emission industrial processes, and sustainable agriculture and forestry. The overall objective is to support projects that cover the entire research and innovation cycle (Technology readiness level 1-9). The investment is expected to support the completion of a total 30 projects.</p> <p>Milestone C9.M12 is the first step in the implementation of the measure. It is followed by targets C9.T13 and C9.T14, each of which concern the completion of projects that are to receive funding from the investment.</p> <p>The investment has a final expected date for implementation on 30 June 2026.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. A summary document duly justifying how the target (including all constitutive elements) was satisfactorily fulfilled; ii. Copy of the call for projects that are part of an Important Project of Common European Interest (IPCEI) for the implementation of hydrogen technologies (below referred to as 'Call 1') of 19 April 2023 (legal act no. 368/2021 on the mechanism for supporting recovery and resilience and on the amendments of certain laws), open until exhaustion of funds or until the contracting authority decides to close the call. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: https://vaia.gov.sk/2023/04/18/vyzva-na-predkladanie-ziadosti-o-poskytnutie-prostriedkov-mechanizmu-na-podporu-obnovy-a-odolnosti-zamerana-na-podporu-projektov-ktore-su-sucastou-vyznamneho-projektu-spolocneho-europskeho/ | |

- iii. **Copy of the call for support for research projects aimed at decarbonising the economy in TRL levels 1-3** (below referred to as 'Call 2') of 4 July 2023 (legal act no. 368/2021 on the mechanism for supporting recovery and resilience and on the amendments of certain laws), open until 6 November 2023. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/2023/07/04/vyzva-podpora-vyskumnych-projektov-zameranych-na-dekarbonizaciu-ekonomiky-v-trl-urovniach-1-3/>
- iv. **Copy of the call for supporting the development of innovative solutions in the area of decarbonization** (below referred to as 'Call 3') of 20 October 2023 (legal act no. 368/2021 on the mechanism for supporting recovery and resilience and on the amendments of certain laws), open until 15 March 2024. The publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, can be found on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/sk/2023/10/20/podpora-vyvoja-inovativnych-rieseni-v-oblasti-dekarbonizacie/>

Analysis:

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

At least two thematic calls for demand-driven projects shall be launched in compliance with the DSNH principle, addressing the challenges of the green transition, de-carbonisation as well as resilience and adaptation to climate change.

Three calls have been published by the Research and Innovation Authority (for the purpose of this assessment, Call 1, Call 2 and Call 3). Call 1 was published on 19 April 2023 with a total allocation of EUR 12 200 000. Call 2 was published on 4 July 2023 with a total allocation of EUR 30 901 982. Call 3 was published on 20 October 2023 with a total allocation of EUR 45 132 000.

Combined, the calls support quality fundamental and industrial research projects for the transition to a green and low-carbon economy, adaptation to climate change and climate resilience.

- Call 1 improves synergies of research, development and innovation (RDI) actions between the national and EU level. The call awards grants to projects that are part of an IPCEI in the field of hydrogen technology implementation. The call specifically aims to support the development of hydrogen technologies, which are identified as one of the priority areas for the de-carbonisation of the economy and the green transition (page 1 of Call 1).
- Call 2 awards grants to quality primary and industrial research projects at TRL 1-3 levels for the transition to a green and low-carbon economy, climate resilience and adaptation. The Call also supports support knowledge creation in research institutions and universities, as well as mutual cooperation between sectors. Funded projects are under the scope of the following thematic areas (page 1 of Call 2):
 - Climate sciences and tackling climate change
 - Carbon-free energy (energy – storage, supply; energy networks and systems)
 - Electrification
 - Hydrogen, battery technologies and alternative fuels
 - Clean, safe, accessible and smart transport and mobility

- Low-emission industrial processes and materials
- Bio-economy, sustainable agriculture and forestry
- Call 3 awards grants to support innovation in businesses through research and development (TLR 4 and above) of unique technologies and solutions in the area of decarbonization in the same thematic areas as those specified under Call 2 (page 1 of Call 3).

All three calls ensure compliance with the Do Not Significant Harm (DNSH) principle through the imposition of a list of excluded activities and assets, specification that all activities under the supported projects must be carried out in accordance with the relevant EU and national environmental legislation, and signature of the applicant of the following statement, verifying that 'the activities and assets proposed in the application are in accordance with the "do no significant harm" principle, they are not among the activities and assets excluded from support and that all activities carried out in the context of the project will be carried out in accordance with the relevant EU and national legislation'. In the case of Call 2 and Call 3, the applicant will describe compliance with DNSH principles in the project description, which will be subject to an expert assessment.

Support shall be directed towards topics that are foreseen in the thematic priorities of Horizon Europe such as • Carbon-free energy • electrification • Hydrogen, battery technologies and alternative fuels • Low-emission industrial processes and materials • Bio-economy, sustainable agriculture and forestry.

As evidenced by the stated objectives of each call, financial support will be directed towards thematic fields foreseen in cluster 5 'Climate, Energy and Mobility' of Horizon Europe.

Supporting the development of hydrogen technologies – the intended purpose of grants to be rewarded by Call 1 – is an objective present throughout the Horizon Europe Cluster 5 Work Programme 2023-2024. It includes, for example, topics such as creating Test Beds for hydrogen, meant to contribute to the creation of an industrial ecosystem of green hydrogen production technology providers, or hydrogen-powered aviation.

The thematic areas of to-be funded projects specified in Call 2 and Call 3 are a direct reference to the priorities of Horizon Europe's Cluster 5, as is directly stated in the calls' objectives and purposes.

Calls for projects shall cumulatively cover the entire research and innovation cycle (TRL 1-9).

IPCEI projects, which are supported by Call 1, are part of an EU-wide strategy to promote Europe's research and innovation capabilities as well as competitiveness in areas of strategic importance. The projects consist of several phases, namely: RDI, FID (First Industrial Deployment) and Deployment. Projects can be implemented at all levels of the TRL, in particular implementation at the level of TRL 4+ is foreseen. Implementation at the lower levels of the TRL is acceptable and depends on the needs of the enterprises involved, as well as on the solution of the project itself. Support under the call is not granted in a discriminatory way in terms of TRL definition.

Call 2 is designed to support non-businesses that undertake high-quality primary research (TRL 1) and businesses which undertake high-quality primary and industrial research (TLR1-3) projects at for the transition to a green and low-carbon economy, adaptation and climate resilience (page 11 of Call 2).

The complementary Call 3 is designed to support more complex projects in industrial research and experimental development (corresponding to TRL 4-8). Other projects are excluded from being eligible (page 11 of Call 3).

All in all, in line with the description of the measure, **the focus shall be on entire research and innovation cycle (Technology readiness level 1-9) with highest allocation directed to demonstration projects and more advanced technology readiness levels.**

Call 2 and Call 3 both specify a higher intensity of support for projects which fall under categories of research higher along the TLR scale (pages 3-4 of Call 2; page 3 of Call 3).

Although Call 1 has a lower total allocation than the other calls, the fact that it is foreseen to support IPCEI projects that fall into higher TLR categories means that it will most likely support a small number of projects, making the received amount of support per project comparatively high.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C9.M15 | Related measure: SK-C[C9]-I[I5]: Research and innovation for the digitalisation of the economy | |
| Name of the Milestone: Launch of calls for thematic demand-driven projects addressing the challenges of digital transition | | |
| Qualitative Indicator: Launch of calls for thematic demand-driven projects addressing the challenges of digital transition | | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this investment is to improve synergies in RDI topics between the national and EU levels as well as support the country's transition to the digital economy and focus on thematic areas under cluster 4 of Horizon Europe: "Digital, Industry and Space". The measure is meant to boost Slovak stakeholders' participation in international and European research and innovation programmes.</p> <p>Milestone C9.M15 concerns the launch of at least two thematic calls for demand-driven projects in compliance with the DNSH principle addressing challenges of the digital transformation and help meet the European Commission's (EC) ambitions for a digital economy. The milestone requires that the calls are launched in accordance with topics in the thematic priorities of Horizon Europe, such as key digital and industrial technologies, internet of things, artificial intelligence, and robotics. The overall objective is to support projects that cover the entire research and innovation cycle (Technology readiness level 1-9). The investment is expected to support the completion of a total 155 projects.</p> <p>Milestone C9.M15 is the first step in the implementation of the measure. It is followed by targets C9.T16 and C9.T17 each of which concern the completion of projects that are to receive funding from the investment.</p> <p>The investment has a final expected date for implementation on 30 June 2026.</p> | | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. A summary document duly justifying how the target (including all constitutive elements) was satisfactorily fulfilled; ii. A Copy of the call for applications aimed at supporting projects that are part of an Important Project of Common European Interest (IPCEI) in the field of microelectronics (hereinafter referred to as 'Call 1') of 19 April 2023 (legal act no. 368/2021 on the mechanism for supporting recovery and resilience and on the amendments of certain laws), open until exhaustion of funds or until the contracting authority decides to close the call. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: https://vaia.gov.sk/2023/04/19/vyzva-na-predkladanie-ziadosti-o-poskytnutie-prostriedkov-mechanizmu-na-podporu-obnovy-a-odolnosti-zamerana-na-podporu-projektov-ktore-su-sucastou-vyznamneho-projektu-spolocneho-europskeho-zaujmu-ip/ | | |

- iii. **A Copy of the call for support for research projects aimed at digitising the economy in TRL levels 1-3** (hereinafter referred to as 'Call 2') of 4 July 2023 (legal act no. 368/2021 on the mechanism for supporting recovery and resilience and on the amendments of certain laws), open until 6 November 2023. The summary document provided a link to the publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/sk/2023/07/04/vyzva-podpora-vyskumnych-projektov-zameranych-na-digitalizaciu-ekonomiky-v-trl-urovniach-1-3>
- iv. **Copy of the call for supporting the development of innovative digital solutions** (hereinafter referred to as 'Call 3') of 23 October 2023 (legal act no. 368/2021 on the mechanism for supporting recovery and resilience and on the amendments of certain laws), open until 15 March 2024. The publication of the scheme and its annexes, including technical specifications detailing the eligibility conditions and selection criteria, which integrate the relevant DNSH safeguards, can be found on the web page of the Research and Innovation Authority: <https://vaia.gov.sk/sk/2023/10/23/podpora-vyvoja-inovativnych-digitalnych-rieseni/>

Analysis:

The justification and substantiating evidence provided by the Slovak authorities cover all the constitutive elements of the milestone. In particular:

- 1. At least two thematic schemes (such as demand-driven calls and/or financial instruments) for projects shall be launched in compliance with the DNSH principle, addressing the challenges of the digital transformation and helping meet the EC's ambitions for digital autonomy.**

Three calls have been published by the Research and Innovation Authority (for the purpose of this assessment; Call 1, Call 2, and Call 3). Call 1 was published on 19 April 2023 with a total allocation of EUR 4 000 000. Call 2 was published on 4 July 2023 with a total allocation of EUR 52 577 966. Call 3 was published on 23 October 2023 with a total allocation of EUR 45 320 000.

Slovakia ranked 23rd out of 27 EU Member States in the European Commission's Digital Economy and Society Index (DESI) in 2022 and lags behind the EU average in several indicators, including the uptake of more advanced technologies in enterprises and in human capital indicators. The calls under this milestone aim to improve this situation by supporting quality fundamental and industrial research projects for addressing the challenges of the digital transformation.

- Call 1 improves synergies of research, development and innovation (RDI) actions between the national and EU level. The call awards grants to projects which are part of an Important Project of Common European Interest (PCEI) in the field of microelectronics and are in their research, development and innovation (RDI) phase or first industrial deployment phase. The call specifically aims to support the transition to a digital economy (page 1 of Call 1). As IPCEIs are, by definition, cross-border endeavours, the call directly contributes to the EC's ambitions for digital autonomy, for example by strengthening Europe's position in the microelectronics market.
- Call 2 awards grants to quality fundamental and industrial research projects at TRL 1-3 levels for the transition to a digital economy. The Call supports support knowledge creation in research performing organizations and well as mutual cooperation between all sectors. Funded projects are under the scope of the following thematic areas (page 1 of Call 2):
 - Industrial technologies (such as industrial automation)

- Key digital technologies (such as cybersecurity, quantum technologies, sensors, Internet of Things, microelectronics and electronic components, cloud solutions)
- Enabling emerging technologies
- Advanced materials for digitalisation
- Artificial intelligence and robotics
- Advanced computing technology
- Call 3 awards grants to support innovation in businesses through research and development (TLR 4 and above) of unique technologies and solutions in the area of in the same thematic areas as those specified under Call 2 (page 1 of Call 3).

All three calls ensure compliance with the Do Not Significant Harm (DNSH) principle through the imposition of a list of excluded activities and assets, specification that all activities under the supported projects must be carried out in accordance with the relevant EU and national environmental legislation, and signature of the applicant of the following statement, verifying that 'the activities and assets proposed in the application are in accordance with the "do no significant harm" principle, they are not among the activities and assets excluded from support and that all activities carried out in the context of the project will be carried out in accordance with the relevant EU and national legislation'. In the case of Call 2 and Call 3, the applicant will describe compliance with DNSH principles in the project description, which will be subject to an expert assessment.

Support shall be directed towards topics in line with the thematic priorities of Horizon Europe such as: key digital technologies (such as cybersecurity; quantum technologies for cybersecurity, sensors and the Internet of Things; microelectronics and electronic components and cloud solutions); Artificial intelligence and robotics.

As evidenced by the stated objectives of each call, financial support will be directed towards thematic fields foreseen in cluster 4 'Digital, Industry and Space' of Horizon Europe.

Supporting the development of microelectronics – the intended purpose of grants to be rewarded by Call 1 – is an objective present throughout the Horizon Europe Cluster 4 Work Programme 2023-2024. It includes, for example, topics such as robotics and developments in virtual reality technology, providing Slovakia, and Europe more broadly with a stronger footing in the eventual rollout of these technologies.

The thematic areas of to-be funded projects specified in Call 2 and Call 3 are a direct reference to the priorities of Horizon Europe's Cluster 4, as is directly stated in the calls' objectives and purposes.

Schemes for projects shall cumulatively cover the whole research and innovation cycle (technology readiness level 1-9).

IPCEI projects, which are supported by Call 1, are part of an EU-wide strategy to promote Europe's research and innovation capabilities as well as competitiveness in areas of strategic importance. The projects consist of several phases, namely: RDI, FID (First Industrial Deployment) and Deployment. Projects can be implemented at all levels of the TRL, in particular implementation at the level of TRL 4+ is foreseen. Implementation at the lower levels of the TRL is acceptable and depends on the needs of the enterprises involved, as well as on the solution of the project itself. Support under the call is not granted in a discriminatory way in terms of TRL definition.

Call 2 is designed to support non-businesses that undertake high-quality primary research (TRL 1) and businesses which undertake high-quality primary and industrial research (TRL 1-3) for the transition

to a digital economy (page 11 of Call 2).

The complementary Call 3 is designed to support more complex projects in industrial research and experimental development (corresponding to TRL 4-8). Other projects are excluded from being eligible (page 11 of Call 3).

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C16.T6 | Related measure: SK-C[C16]-I[I2]: Equipping and digitalising the police force | | |
| Name of the Target: Purchase of new vehicles (10 % of the fleet) of electric and hybrid vehicles | | | |
| Quantitative Indicator: Number of purchased of new vehicles (10 % of the fleet) of electric and hybrid vehicles | Baseline: 0 | Target: 700 | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this investment is to address the insufficient capacity of the police force in Slovakia through the retraining of the police force, the provision of equipment, modernisation and renovation of police stations, digitalisation of infringement and permitting processes, and the purchase of clean vehicles.</p> <p>Target C16.6 concerns the renewal of the fleet of police vehicles through the purchase of hybrid and fully electric vehicles.</p> <p>Target C16.T6 is the first target of the investment C16.I2. It will be followed by milestone C16.M5, related to the provision of training and equipment to the police force, target C16.T7 related to the renovation of police stations, milestone C16.M8 related to the digitalisation of the residence permit process, and milestone C16.M9 related to the automation of the system for detecting road traffic infringements. The last elements of the investment have an expected date for implementation in 2026.</p> | | | |
| <p>Evidence Provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> i. Summary document duly justifying how the target (including all the constitutive elements) was satisfactorily fulfilled; ii. Compiled listing of the new vehicles purchased, established by the Ministry of interior, dated 15 November 2023, consisting of a table, listing for each of the vehicle: a) its registration number (VIN), b) the names of the manufacturer and the seller, c) the name, model and type of the vehicle, d) its characteristics (including whether it is hybrid or electric); e) the date of purchase and delivery, f) the hyperlink to the tender contract, g) a copy of the delivery certificates. iii. Compiled listing of the old vehicles taken out of the circulation since the start of the implementation of the RRP, established by the Ministry of interior, dated 15 November. <p>The authorities also provided:</p> <ul style="list-style-type: none"> iv. Copy of document signed on 23 August 2023 by the Director of the Transport Department in the Slovak Interior Ministry, stating that the RRF funds used for the purchase of the new vehicles do not constitute “double financing” as established by Article 9 of the RRF Regulation. | | | |
| <p>Analysis:</p> <p>The justification and substantiating evidence provided by the Slovak authorities cover all constitutive elements of the target. In particular:</p> <p>Purchase of 700 new vehicles (10 % of the fleet) of electric and hybrid vehicles by 31 December 2022. Of the overall objective to renew 705 vehicles of the police fleet by electric and hybrid</p> | | | |

vehicles (326 vehicles by 30 June 2022 and 379 vehicles by 31 December 2022), at least 700 police vehicles shall be replaced.

A compiled listing provided by the Slovak authorities provides evidence of the purchase of 705 new vehicles, out of which 607 ones are plug-in hybrid, and 98 electric ones. The vehicles are of the categories of SUV (Sport Utility Vehicles) and vans. They are equipped with police light bars, special police marking, police radios and specific seat covers.

The cover note and the reply of the Slovak authorities to the COM observation letter confirm that the vehicles purchased by the Ministry of Interior and allocated to the relevant police units will be used exclusively by the police officers based in the Headquarters and the regions (respectively the Praesidium of the Police and the regional Directorates of the Police Force) for their duties as defined in the relevant internal regulations.

While the Council Implementing Decision indicates that the vehicles are expected to be delivered in the 2 last quarters of 2022, the vehicles were delivered as from March 2023. The delay in the procurement and delivery of vehicles is justified by supply chain disruptions following the COVID-19 pandemic, further aggravated by the war in Ukraine. Slovakia provided a copy of the procurement contracts for 705 vehicles and delivery certificates for 701 new vehicles (evidence document No ii).

As explained in the feedback from Slovakia to the COM observation letter, the new hybrid and electric vehicles gradually replaced old vehicles representing 10% of the police fleet, which are listed among the old vehicles taken out of the circulation since the start of implementation of the RRP (evidence document No iii).

The evidence provided for a random sample of 60 new vehicles confirmed that they hold different registration number, are hybrid or electric, and have been actually purchased by the Ministry of interior.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C16.M13 | Related measure: SK-C[C16]-I[I4]: Streamlining, optimising and strengthening administrative capacity at different levels of government |
| Name of the Milestone: Minimising implementation risk by establishing a coordination, financial and implementing body (NIKA) for the Recovery and Resilience Facility | |
| Qualitative Indicator: Establishment and capacity building for RRP authority | Time: Q3 2022 |
| <p>Context:</p> <p>The objective of this investment is to strengthen administrative capacities both at local level and at national level for implementing the reforms and investments of the Slovak recovery and resilience plan (RRP). To this end, the investment includes the creation of the National Implementation and Coordination Authority for the Slovak RRP, the entry into force of the Recovery and Resilience Facility Act by the first payment request, and the development of a repository system for recording and storing all relevant data related to the implementation of the RRP.</p> <p>Milestone C16.M13 concerns the establishment of a coordination, financial and implementing body, NIKA, for the Recovery and Resilience Plan.</p> <p>Milestone C16.M13 is the first step of the implementation of the investment C16.I4 and it follows the completion of milestones C16.M14 related to the entry into force of the Recovery and Resilience Facility Act, and C16.M15 related to the establishment of a repository system for monitoring the implementation of the RRP. It will be followed by target C16.T16 related to the establishment of shared service centres.</p> <p>The investment has a final expected date for implementation by 30 June 2026.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled. ii. Copy of a document signed by the Head of the Government office empowering the Director of the Office of the Head of Government Office to sign documents in its behalf, dated 23 July 2021 iii. Copy of the organisation chart of NIKA iv. Copy of the staffing plan of NIKA (2021-2026) v. Copy of the staffing plan of the government audit (2021-2026) vi. Copy of the explanatory document on the mandate and powers of NIKA, consisting in an extract (Article I Paragraph 4) of the Act No. 368/2021 on the Recovery and Resilience Facility and amending certain acts, adopted in the National Council of the Slovak Republic on 24 September 2021 vii. Copy of a certificate signed by the competent authority certifying that a new IT system (named “ISPO”) for the purposes of NIKA in place, signed by the members of the ISPO Management Committee on 31 August 2023. <p>The authorities also provided:</p> <ol style="list-style-type: none"> viii. Copy of the establishment plan of the Office of the Government of the Slovak Republic of 2 September 2021, as amended (Amendment 12) and entered into force on 1 August 2023, | |

setting out the structure (organisation chart) of the NIKA

- ix. **Weblink to Slovak Government Resolution No. 221 of 28 April 2021** entrusting NIKA with the implementation and coordination of the RRF as from 1 August 2021, <https://rokovania.gov.sk/RVL/Resolution/19193/1>
- x. **Weblink to the Act No 368/2021 on the Recovery and Resilience Facility** and amending certain acts, adopted in the National Council of the Slovak Republic on 24 September 2021, <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2021/368/20220719.html>
- xi. **Copy of the organisation chart of the government audit**
- xii. **Screenshots presenting the functionalities of the ISPO system**
- xiii. **Data extracts from ISPO** (listing of project's beneficiaries and payment requests)
- xiv. **Copy of the protocol on the initialisation of ISPO**
- xv. **Copy on the methodological Guideline 01/2023 on the implementation of the Recovery Plan Information and Monitoring System (ISPO)**
- xvi. **Copy of the ISPO Manual for Investment and Reform Executor**
- xvii. **Copy of the contract with the consulting company providing services for the development of ISPO**, as well as of its addenda, and a copy of the worksheet of the consultant working for the contracted consultancy company

Analysis:

The justification and substantiating evidence provided by the Slovak authorities cover all constitutive elements of the milestone. In particular:

NIKA will be established by 30 September 2021

The "National Implementation and Coordination Authority for the Slovak RRP" (NIKA), corresponding to the Recovery Plan Section within the Office of the Government of the Slovak Republic, was established with Government Resolution No. 221 of 28 April 2021, and it was entrusted with the implementation and coordination of the Recovery and Resilience Facility (RRF) in Slovakia as from 1 August 2021 (Point B.8.3 of the Government Resolution, evidence document No ix).

It will be the coordinating, financial and implementing body for the RRF.

NIKA's powers, tasks and responsibilities are set out in the Act No. 368/2021 on the RRF and amending certain acts (Article I Paragraph 4). It includes the coordination of the implementation of the RRP (Article I Paragraph 4, (2) and (3)), including in its financial aspects (Article I Paragraph 4, (4)) (evidence document No x).

The organisational structure of NIKA and the main tasks performed by its employees are set out respectively in Article 4 of the establishment plan of the Office of the Government of the Slovak Republic (evidence document No ix). Its organisational structure is set out in Articles 44 to 50 of the same document. The NIKA is composed of departments related to the coordination and communication, legal issues, and thematic ones reflecting the strategic priorities of the RRP (Green Economy; Effective Public Administration and Digitalisation; Education, Innovation and Public Finance Department, Health Department) (evidence document No iii).

A certificate proving that NIKA is established and functional was provided (evidence document ii). Furthermore, the summary of audit sent notified by the SK RRP audit authority as part of the third payment request (section 3.5) confirms that the level of assurance for the performance of duties by the Government Office (NIKA) is at a high level (level 1).

Furthermore, **the subsequent steps entail: Strengthening the capacity of NIKA [...] by 31 December 2021.**

The tasks performed by the employees of NIKA are set out in the establishment plan of the Office of

the Government of the Slovak Republic (evidence document No ix, Article 44.3). They consist in the general management of the implementation of the RRP, the coordination of the implementing bodies and partners, the communication and training in the scope of the RRP, and the development of synergies with other European and international programmes and projects.

A staffing plan of NIKA (evidence document iv) identifies the number of posts created and occupied, by department's units and profile, for the period December 2021-December 2026. Since April 2022, 108 posts have been created, out of which 86 were occupied in July 2023 (against 61 in April 2022).

Furthermore, the subsequent steps entail: **Strengthening the capacity of the government audit by 31 December 2021.**

The audit for the RRP is ensured by the Audit and Control Section of the Ministry of Finance, as well as the Government Audit Office (evidence document No xi). A staffing plan of the government audit (evidence document No v) identifies the number of posts created and occupied, by department's units and profile, for the period December 2021-December 2026. The document shows that all created posts (3 posts in the Audit and Audit and Control Section of the Ministry of Finance, and 17 posts in the Government audit office) were occupied in September 2023.

A new IT system for the purpose of NIKA is in place by 30 September 2022.

The NIKA confirmed on 31 August 2022 (evidence document No vii) that the new IT system, the "Recovery Plan Information System" (ISPO) was made accessible to the staff of NIKA and the RRP implementing bodies, as well as the general public (evidence document vii, section "ISPO status and implementation information"). The access to the ISPO portal (public part) can be made by an electronic Identity Card (eID) or by e-mail registration. The other part of ISPO (non-public one) is accessible only to the RRP authorities (NIKA and audit authorities) through credentials.

The key functionalities essential for the programme's management, including the publication of support schemes and call for proposals, the processing of funding applications, as well as storing data on recipients and contractors for the purposes of Article 22(2)(d)(i) to (iii) of the RRF Regulation, were developed and completed (evidence document vii, sections on "ISPO functionalities" and on "import and data registration pursuant to Article 22(2)(d) of the RRF regulation")(evidence document No xii).

[The ISPO builds on the already established and operational registration system to monitor the implementation of the mechanism (the "NIKA repository"), which is not a functional IT system but based primarily on computed data (excel sheets, RRP Milestone C16.M15). NIKA confirmed that all data pursuant to Article 22(2)(d)(i) to (iii) of the RRF Regulation were migrated from the NIKA repository to the ISPO (evidence document vii).]

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C17.M1 | Related measure: SK-C[C17]-R[R1]: Creating eGovernment solutions for priority life situations |
| Name of the Milestone: Investment plan for priority life situations | |
| Qualitative Indicator: Publication of the priority list approved by the MIRRI | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of this reform is to prepare an investment plan to enable Slovak individuals and businesses to administratively resolve priority “life situations” in eGovernment services quickly and easily.</p> <p>Milestone C17.M1 concerns the publication of the list of priority electronic services for life situations approved by the Ministry of Investments, Regional Development, and Informatization of the Slovak Republic (MIRRI), based on the eGov benchmark and taking into account the Annex II of the Single Digital Gateway Regulation.</p> <p>Milestone C17.M1 is the first step of the implementation of the reform, and it will be followed by milestone C17.M2, related to the publication of the roadmap of the priority life situations.</p> <p>The reform has a final expected date for implementation of 31 December 2023.</p> | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled. ii. Copy of the priority list of electronic services for 16+1 life situations (Annex 1) approved on 16 March 2023 by the MIRRI and published on its website as “Prioritný zoznam vybraných 17 životných situácií” at this link https://mirri.gov.sk/aktuality/plan-obnovy-a-odolnosti/prioritny-zoznam-vybranych-17-zivotnych-situacii/ <p>The authorities also provided:</p> <ol style="list-style-type: none"> iii. Copy of the priority list of life situations’ key attributes (Annex 2) summarising the relevance of the selected 16 +1 life situations and their impact on the individual entities of public administration and their IT systems, published at this link https://www.mirri.gov.sk/aktuality/plan-obnovy-a-odolnosti/investicny-plan-zivotnych-situacii/index.html iv. Copy of the 16+1 visualisations of current state of customer journeys in the selected priority life situations (Annex 3), published at this link https://www.mirri.gov.sk/aktuality/plan-obnovy-a-odolnosti/investicny-plan-zivotnych-situacii/index.html v. Copy of the record of approval of documents by the Steering Committee (Annex 4) vi. Copy of the report analysing the results of stakeholder consultations and best practice on a | |

list of priority electronic services (Annex 5) prepared under a Technical Support Instrument project and published on 17 January 2023 on the website of the Ministry at this link <https://www.mirri.gov.sk/aktuality/plan-obnovy-a-odolnosti/investicny-plan-zivotnych-situacii/index.html>

- vii. **Copy of the long list of life situations monitored in accordance with the eGov benchmark (Annex 6).**
- viii. **Copy of decree 78/2020** of 16 March 2020 on standards for public administration information technology, published in the Official Journal on 16 April 2020,
- ix. **Copy of decree 546/2021** of 10 December 2021, amending decree 78/2020 on standards for public administration information technology, published in the Official Journal on 31 December 2021
- x. **Copy of Annex 12 of Decree No. 78/2020** on standards for public administration information technology, which was introduced through the amending decree No. 546/2021 of 10 December 2021, linked https://www.slov-lex.sk/pravne-predpisy/prilohy/SK/ZZ/2020/78/20220101_5383001-2.pdf
- xi. **Copy of Decree 547/2021** on the digitalization the public administration workflows, published in the Official Journal on 31 December 2021
- xii. **Statutes of the MIRRI Steering Committee for Component 17 Investment 1 and Reform 1**, entered into force in July 2022, accompanied by the document confirming their approval signed by the State Secretary of 15 July 2022.

Analysis:

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

Publication of the list of priority electronic services approved by the MIRRI SR, based on the eGOV benchmark and taking into account the Annex II of the Single Digital Gateway Regulation.

The list of priority electronic public services was approved by the MIRRI on 16 March 2023 through a decision of the Steering Committee for Component 17 Investment 1 and Reform 1, mandated to take decisions on behalf of the ministry in accordance with its statutes. Article 2 of the Statutes of the MIRRI Steering Committee detail the remits and tasks of the Steering Committee. The Steering Committee is chaired by the Secretary of State for Informatisation of the Ministry (Article 3 of the Statutes of the MIRRI Steering Committee). The copy of the record of approval of documents by the Steering Committee (Annex 4) contains the minutes of the Steering Committee decision). The list of priority electronic services was published on 20 March 2023 on the website of the MIRRI SR (see evidence item ii. above).

Furthermore, in line with the description of the measure, **the investment plan shall identify 16 priority life situations, describe the current and future status of the processes, and list investment actions that need to be carried out in the administrative entities and their information systems. Priority life situations shall be selected in accordance with the list of life situations monitored by eGov benchmark and taking into account the life situations included in Annex II of the Single Digital Gateway Regulation.**

The priority list of electronic services for selected life situations is the first part of the investment plan being prepared under reform 1, in accordance with the CID annex description of milestones C17.M1 and C17.M2.

The eGov Benchmark and the Single Digital Gateway Regulation (SDG-R) Annex II define two sets of broad individual life events. The eGov Benchmark was used as a starting basis for the prioritization exercise of life situations, with the list of 8 eGov 'life events' broken down into more specific "life situations". The prioritization within the full list of life situations reflected in particular the importance of these situations in the life of the individual or business, the administrative burden and complexity they represent, their frequency of occurrence and their severity (Annex 6, sheet Prioritisation, and Annex 2). As a result, the shortlisted priority life situations represent the highest added value of improvement and optimisation for the public service customer.

A summary table presented in Annex 5, section 1.2 (page 8) shows a mapping of the shortlisted life situations against the broader eGov benchmark life events and the SDG-R Annex II life events. More specifically:

- The life situation "Starting a business" corresponds to the same life event in the eGov benchmark.
- This is also the case for the life situation "Administration of a business," corresponding to the same life event in the eGov benchmark.
- The eGOV benchmark life event "Studying" was subdivided into several sub-parts according to the level of education to take into account the different competent public authority (such as kindergartens and primary schools being a responsibility of municipalities, secondary schools under the authority of higher territorial unit).
- The eGov benchmark life event "Family" was broken down into more specific life situations (birth of child, marriage, sickness, disability, death and succession).
- Within the eGov benchmark life event "Career" two situations were identified as administratively most burdensome (unemployment and job search, material deprivation).
- The life event "Moving" from the eGov Benchmark was maintained.
- The eGov benchmark life event "Ownership and purchase of a vehicle" was also unaltered.
- Life event "Starting of a small claims procedure" was not included in the priority list of life situations, as the number of submissions in the Slovak context was low and the efficiency gains would be low compared to the cost of the investment.

The priority list of electronic services for selected 16+1 life situations (Annex 1, page 2) approved by the Ministry of Investments, Regional Development and Informatisation contains 16 life situations plus 1 life situation (as potential substitute): Starting a business, Administration of business, Purchase and possession of a motor vehicle, Purchase and ownership of residential property, Retirement, Moving, Sickness, Dependent person, Loss of employment, Material deprivation, Death and succession, Marriage, Birth of Child, Kindergarten, Primary school, Secondary school. The substitute life situation is University studies, which would be implemented if one of the selected 16 priority life situations would not be successfully implemented to prevent failure of fulfilment of the target.

The priority list of electronic services for selected 16+1 life situations (Annex 1) provides the identification of the life situations through defining the initial and final step of the administrative services in a given life situation, thereby defining their scope. The current status of the administrative processes is explained in Annex 1 (pages 6-22). A description of the future status of the administrative processes of selected life situations is also provided in Annex 1 (pages 6-22). Annex 2 (sheet Introduction) outlines the design principles, tools and investment actions that will need to be performed in the administrative entities. The graphical description of individual customer journeys in the current status are provided as Annex 3 separately for each life situation. A detailed roadmap of future design and actions to improve the selected life situations is covered the subsequent milestone C17.M2.

In line with the description of the measure, **the reform shall lead to the introduction of a package of legislative amendments to deploy new digital public services on a unified design.**

The unified design of digital public services was introduced by:

- Decree No. 546/2021 of 10 December 2021 amending Decree No. 78/2020 on standards for public administration information technology. Decree No. 546/2021 introduced Annex 12² to decree 78/2020 harmonizing the visual and functional characteristics of the user interface of Government web pages. Decree 546/2021 entered into force on 1 January 2022 (Title II).
- Decree No. 547/2021 of 10 December 2021 on the digitalisation of public administration processes. Decree No. 547/2021 entered into force on 1 January 2022 (Article 14).

The two legislative acts put in place the graphical and functional framework for the creation of public e-services, with a view to promoting the use of user-centric design and increase the overall user experience of individuals and businesses. In particular, Decree 547/2021 on the digitalization the public administration workflows sets the general principles for the digitalised workflows and services (Article 3), the key steps and processes for digitalising workflows (Articles 4 to 11) and security principles of digitalised workflows (Article 12). Furthermore, Annex 12 introduced by Decree No. 546/2021 defines the colour palette (section 1.), the typography (section 2.), the layout and contents of the unified header (section 3.) and footer (section 4.), feedback panel (section 5.), the appearance and behaviour of fields and prompts (section 6.), buttons (section 7.) and provision of information to the user (sections 9. and 10.).

Commission Preliminary Assessment: Satisfactorily fulfilled

² https://www.slov-lex.sk/pravne-predpisy/prilohy/SK/ZZ/2020/78/20220101_5383001-2.pdf

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| Number: C17.M9 | Related measure: SK-C[C17]-R[R3]: Managing the digital transformation of the economy and society | |
| Name of the Milestone: Action Plan for the Digital Transformation of Slovakia for years 2023- 2026 | | |
| Qualitative Indicator: Development and adoption of the Action Plan for the Digital Transformation of Slovakia for years 2023-2026 by the MIRRI SR | | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of the reform is to introduce a new governance structure for reforms and investments in the digital economy by engaging competent bodies at the political, working, assessment, and consulting levels. The bodies concerned include the Government Council for Digitalisation of Public Administration, the Digital Agenda Section of the MIRRI SR, the Analytical Unit of the MIRRI SR, and the Working Group on the Digital Transformation of Slovakia.</p> <p>Milestone C17.M9 concerns the adoption of a new strategic document – Action Plan for the Digital Transformation of Slovakia for years 2023-2026. Milestone C17.M9 is the only milestone of this reform.</p> | | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ul style="list-style-type: none"> i. A summary document duly justifying how the target (including all constitutive elements) was satisfactorily fulfilled; ii. A copy of Slovakia’s Digital Transformation Action Plan 2023-2036 (APDTS), approved by Government Resolution No. 800/2022 – adopted on 14. 12. 2022. <p>The authorities also provided:</p> <ul style="list-style-type: none"> iii. Government Resolution No. 800/2022, version published in the Official Journal of 21 December 2022, entered into force on 14 December 2022. The summary document provided a link to the published resolution on the web page of the Slovak government. iv. Confirmation of the opening of the Interministerial consultation procedure (launched 8 October, lasting until 31 October 2022). The summary document provided a link to the published confirmation on the web page of Slov-LEX. v. Confirmation of inclusion of material for the discussion by the Slovak Government. The summary document provided a link to the published resolution on the web page of the Slovak government. vi. A link to the published document and its annexes on the web page of the MIRRI SR. | | |
| <p>Analysis:</p> <p>The justification and substantiating evidence provided by the Slovak authorities cover all the constitutive elements of the milestone. In particular:</p> <p>Adoption by the MIRRI of a new strategic document – Action Plan for the Digital Transformation of Slovakia for years 2023- 2026. The Action plan shall put forward actions to improve Slovakia’s</p> | | |

digital performance, building on 2030 Digital Transformation Strategy for Slovakia and building on the current 2019-2022 roadmap.

As evidenced by Government Resolution No. 800/2022, the Slovak government had adopted the Action Plan for the Digital Transformation of Slovakia (APDTS 2023-2026) on 14 December 2022. The document reflects goals which were set in the Slovak recovery and resilience plan, RIS3, and Programme Slovakia action plan. It also reflects the priorities of the Digital Europe programme, goals set in the EU's Digital Compass, OECD recommendations and other key strategic documents in the area of digitalisation (APDTS, page 17).

The APDTS is divided into 4 thematic areas: 1) digitalising the wider economy, 2) digital infrastructure, 3) Supporting the potential of artificial intelligence, 4) digital society. Each measure proposed in the Action plan is selected based on the work of Task Forces for each of these areas (APDTS, page 12). Each working group proposed a series of measures which were subsequently evaluated with potential implementers of these measures and assessed their feasibility, the link to the area-specific objectives and the availability of human or financial resources for the implementation of the measure. All actions were agreed by their respective responsibilities, with which milestones and deadlines were communicated to ensure their implementation and relevance with regard to their further activities. The projects will be implemented in accordance with applicable legislation and government resolutions with a view to demonstrating their social return.

In order to effectively implement measures included in the priority areas, it is crucial in the short-term for Slovakia to strengthen its institutional framework which represents the basis of its innovation ecosystem.

The key measures to improve Slovakia's digital performance include:

Building the digital ecosystem

- Co-financing investments in basic technology tools and processes in SMEs (APDTS, page 22)
- 1.1.2.1 Investments in advanced technology tools, including supply chains (APDTS, page 24)
- 1.1.2.2 Provision of digital and innovative vouchers (APDTS, page 25)
- 1.1.2.3 Support for R & D projects in line with the priorities of the Research and Innovation Strategy for Smart Specialisation of the Slovak Republic (RIS3) (APDTS, page 25-26)
- 1.1.2.4 Financing of Slovak nodes involved in testing and experimental facilities (APDTS, page 26)
- 1.1.2.5 Specific digital and technical solutions tailored to clients through ECDI (APDTS, page 27)
- 1.1.3.1 Support for the development of venture capital funds in Slovakia (APDTS, page 28-29)

Digital infrastructure

- 2.2.1.1 Construction of national HPC infrastructure (APDTS, page 37)
- 2.2.1.2 Ensuring the operation of the national HPC infrastructure (APDTS, pages 37-38)
- 2.2.1.3 HPC access support services for users (APDTS, page 38)
- 2.2.3.1 Support pilot research and development of HPC solutions through free services of the National Competence Centre for HPC (APDTS, page 44)
- 2.2.3.2 Support the development of advanced HPC tailor-made solutions through the National supercomputing centre (APDTS, pages 44-45)
- 2.2.3.3 Supporting the adoption of HPC in public administration (APDTS, page 45)
- 2.2.3.4 Information campaign on the use of HPC in business and industry (APDTS, page 46)
- 2.3.1.1 Establishment and implementation of a scholarship programme and professional experience for the training of quantum engineers (APDTS, pages 50-51)

- 2.3.1.2 Training for the public sector on practical applications of quantum technologies (APDTS, page 51)
- 2.3.1.3 Expert training in quantum technologies (APDTS, pages 51-52)
- 2.3.1.4 Support the development of software solutions for quantum communication networks (APDTS, pages 52-53)
- 2.3.1.5 Establishment of cross-border communication lines (APDTS, page 53)
- 2.3.1.6 Creation of a satellite quantum communication node (APDTS, pages 53-54)
- 2.3.1.7 Support for high-tech manufacturing in quantum technologies in Slovakia (APDTS, page 54)

Supporting the potential of AI

- 3.1.1.1 Enhancing the knowledge of AI professionals, non-ICT firms (APDTS, page 58)
- 3.1.1.2 Support for AI specialised course on vocational lifelong learning (APDTS, pages 58-59)
- 3.1.3.1 Building data literacy (APDTS, page 62)
- 3.1.4.1 Developing a governance model for AI and data governance and governance for public administrations to develop the use of AI (APDTS, pages 62-63)
- 3.1.4.2 Implementing a governance model for AI and data governance for public administrations to develop the use of AI (APDTS, pages 63-64)

Digital society

- 4.4.1.1 Establishment of a National Strategy for the Promotion of Financial Innovation (FinTech) (APDTS, pages 82-83)
- 4.4.1.2 Computerisation of selected NBS procedures (APDTS, pages 83-84)
- 4.4.1.3 Digital Identity Testing and Deployment (APDTS, pages 84-85)
- 4.4.1.4 Analysis of the possibility of using open banking vis-à-vis public administration (APDTS 85-86)
- 4.4.1.5 Carrying out an analysis of the legal environment and regulatory options for the relevant technologies (APDTS, pages 86-87)
- 4.4.1.6 Introducing a more efficient, modern and digital approach to capital markets (APDTS, pages 87-88)

The APDTS presents methods through which its impact will be monitored, helping ensure that Slovakia's digital performance is in fact improved. The action plan takes into account of international indicators, such as the European Commission's DESI index and the OECD's "Going Digital Toolkit".

The APDTS includes a monitoring and reporting strategy. In this regard, MIRRI is in charge of publishing reports about the fulfilment of the APDTS to the government of the Slovak Republic on 30 September of each year until 2026 (APDTS, page 13). The overarching monitoring strategy will not hinge solely on whether the ambition of the plan had been fulfilled or not, but rather that the measures – which are tied to a specific, strategic goal – effectively achieve it and thus showcase their necessity.

The APDTS areas are based on a combination of the vision defined in the 2030 Strategy for Digital Transformation (Strategy for Digital Transformation of Slovakia 2030, pages 26-35), strategic documents at the EU level, and the DESI. These include:

- Digital transformation of the wider economy, development of skills for smart specialisation, industrial transformation and entrepreneurship;
- Developing digital infrastructure, deploying fast broadband and creating a sustainable digital ecosystem (developing high performance computing infrastructure and quantum communication infrastructure);
- Fostering the potential of artificial intelligence;

- digital transformation of society, development of digital skills, fostering women's participation in the digital economy and society;
- Protecting mental health in the digital space;
- connecting the green and digital transitions.

As evidenced by the contents of the APDTS and in the analysis sections above, these areas are developed under different thematic headings and defined at the level of each chapter. Regarding strategic areas, specific objectives in line with the 2030 Digital Transformation Strategy are identified, the fulfilments of which will be monitored through Slovakia's progress within measurable indicators. These include (Strategy for Digital Transformation pages 49-59; APDTS, pages 5-6):

Digitalisation of the wider economy

- Supporting SMEs to reach a base level of digital intensity
- Support and implementation of advanced digital technologies in manufacturing and services
- Supporting innovative businesses

Digital infrastructure

- Expanding gigabit connections for households and the availability of SED (structured electronic documents for schools, institutions and public offices)
- The development of a sustainable national High-Performance Computing (HPC) infrastructure
- Education and skill expansion in HPC
- Supporting the adoption of HPC in Slovakia
- Running the national network for quantum internet

Supporting the potential of artificial intelligence

- Promoting the links of the academic sector with business and supporting applied research, capacity building, projects and creation of innovation in AI firms
- Promoting the use and deployment of artificial intelligence in medicine
- Supporting the creation of an ecosystem for the development of AI using data
- Creating a "governance model that adequately reflects dynamic developments in the digital world"

Digital society

- Increasing the number of female ICT specialists and promoting a more active inclusion of women and girls in the digital society and economy
- Support for projects to tackle disinformation, increase information literacy and research, development and deployment of technologies aimed at improving the mental health of individuals
- Setting up a coordination mechanism, an information campaign and a digital platform linking the digital transformation to mental health
- Reduction of CO2 emissions in public administration linked to the ICT sector
- Establishing a coordination mechanism and supporting the development of the necessary skills for the green and digital transitions
- Creating an appropriate environment in Slovakia and promoting the potential of blockchain technology with a focus on public administration services and FinTech

In terms of continuity with the previous 2019-2022 Action Plan, the new APDTS had to focus on the remaining themes of the economy, where key themes were: promoting entrepreneurship, digitising processes, using artificial intelligence applications, communication infrastructure and financial innovation. At the same time, the Strategy for Digital Transformation 2030 and Action Plan objectives to improve Slovakia's position in the DESI by 2025 responded to Slovakia's weak position in the DESI

evaluation and individual measures aimed at improving Slovakia's position in the specific indicators of this evaluation, demonstrates further linkages between the relevant policy documents.

The fulfilment of the milestone – Slovakia's Digital Transformation Action Plan 2023-2026 is demonstrated by the adoption of the document by the Government of the Slovak Republic on 14 December 2022 by Resolution 800/2022 with the observation of the Ministry of Finance, which was subsequently incorporated and accepted. The resolution in question sets out the obligations for public authorities, which are in a position to implement individual measures of the 2023-2026 Digital Transformation Action Plan of Slovakia.

Furthermore, in line with the description of the measure, **the reform shall introduce a new governance structure for reforms and investments in the digital economy by engaging competent bodies at different levels.**

The APDTS contains measures which address the challenges of creating adequate governance structures for investments and reforms in complex digital technologies. Most notably, measures 3.1.4.1. and 3.1.2.2. concern the implementation of the governance model for AI and data governance for public administrations to develop the use of AI (APDTS, page 6).

As part of building Slovakia's digital ecosystem, several platforms and coordination centres were created in the initial period of APDTS implementation to effectively manage and implement key priorities in the field of digital transformation. Their main task is to coordinate within the cooperation of the public, private and academic sectors activities aimed at strengthening the technological readiness of Slovakia in key areas. Following the creation of these centres, funds will be invested in their further development in the following period with the aim of building the necessary capacities and strengthen expert coordination within specific digital priorities transformations (APDTS, page 2).

Furthermore, in line with the description of the measure, **at the political level, the Government Council for Digitalisation of Public Administration and Digital Single Market as the advisory, coordination and initiative body of the Government on issues related to digitalisation shall monitor the implementation and realisation of reforms and projects in the area of digital economy.**

As stated in the APDTS, the Council of the Government of the Slovak Republic for the Digitalisation of Public Administration and the Digital Single Market ('the Council') as the advisory, coordination and initiative body of the Government of the Slovak Republic on issues relating to computerisation, the digital single market and digitalisation of public administration will continue to monitor the implementation of APDTS measures at political level. It will also adopt opinions and recommendations to the Slovak Government in the area of digital transformation. The Council will politically oversee the process of carrying out its tasks (APDTS, pages 14-15).

Furthermore, in line with the description of the measure, **at the working level, the Digital Agenda Section of the MIRRI (SDA) shall work to ensure implementation of reforms and investments, as well as meeting the set milestones and targets.**

The MIRRI SR is responsible for monitoring the implementation of individual measures. The SDA is responsible for systematically monitoring the implementation of APDTS measures and will regularly evaluate progress and make further recommendations for the implementation of the successful digital transformation of the Slovak Republic (APDTS, page 14).

Furthermore, in line with the description of the measure, **at the assessment level, the analytical unit of MIRRI shall ensure thematic consistency of the interventions with the priorities of strategic**

policies/documents (RIS3, SACI, 2030 Digital Transformation Strategy for Slovakia).

The MIRRI SR, as the central government body responsible for central management of company computerisation and policy-making on the digital single market, also comprehensively covers topics linked to the digital transformation. For this reason, the MIRRI SR actively coordinates the policies and activities of all actors at the level of both state and public administration and ensures synergies between them. It also prioritises public investment and the financing of specific activities (APDTS, pages 13-14). The Ministry has ensured that current priorities are defined following European trends and needs so that Slovakia is also an effective part of building the EU's strategic autonomy.

Furthermore, in line with the description of the measure, **at the consulting level, the Working Group on the Digital Transformation of Slovakia shall assist the Digital Agenda Section of MIRRI in implementing reforms and investments in the digital economy.**

The Working Group on the Digital Transformation of the Slovak Republic (the 'Working Group') continues its work in order to provide the SDA with assistance in the implementation of APDTS measures and to coordinate activities aimed at supporting the digital transformation. The Task Force is a key inter-ministerial body for coordinating digitalisation policies, reforms, activities and investments across public administration. Open and regular communication with the public is essential for the overall success of the APDTS implementation and therefore key actors from the business environment, academia and public research institutions, as well as civil society, are part of the working group in addition to representatives of central government bodies. In addition, the Working Group provides synergies in the implementation of reforms and investments from both the Slovak and PSK's digitalisation policies, which are synergistically linked to a number of APDTS measures (APDTS, page 14).

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C17.T10 | Related measure: SK-C[C17]-I[I3]: Engaging in multi-country European projects related to the digital economy | | |
| Name of the Target: Number of Digital Innovation Hubs/ European Digital Innovation Hubs | | | |
| Quantitative Indicator: Number | Baseline: 0 | Target: 5 | Time: Q3 2022 |
| <p>Context:</p> <p>The objective of this investment is to support the participation of Slovak entities in EU multi-country projects, including projects from directly managed EU programmes.</p> <p>Target C17.T10 concerns the creation of a network of European Digital Innovation Hubs (EDIH) and Digital Innovation Hubs (DIH) to provide services to businesses to support the development of new technologies and innovation.</p> <p>Target C17.T10 is the first step of the implementation of the investment, and it will be followed by targets C17.T11 and C17.T12, related to the development and construction of a supercomputer for the National Supercomputing Centre and participation in 2 multi-country digital projects.</p> <p>The investment has a final expected date for implementation on 31 December 2025.</p> | | | |
| <p>Evidence Provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the target (including all constitutive elements) was satisfactorily fulfilled; ii. Contracts between the Commission and the applicant – the “Grant Agreement” under call DIGITAL-2021-EDIH-01 of the Digital Europe Programme (50 % funding of total eligible expenditure from the European Commission). iii. A Contract between the Commission and the applicant – the “Grant Agreement” and the EC application and certificate – “Seal of Excellence” under call DIGITAL-2021-EDIH-01 of the Digital Europe Programme (without financial support from the European Commission) <p>The authorities also provided:</p> <ol style="list-style-type: none"> iv. Nomination letter of the Minister for Investment, Regional Development, and Informatization for the winning entities after two rounds of a national competition for the selection of entities that could apply for support from the Digital Europe Programme. The nomination letters are part of the contracts between the Commission and the applicant – the “Grant Agreement” and submitted to the EDIH project which has obtained the “Seal of Excellence”. v. Price lists of the EDIH services which are part of the contracts between the EC and the applicant – the “Grant Agreement”; vi. A call for applications, launched on 9 June 2023, to set up the network of European Digital Innovation Hubs (EDIHs). vii. Signed Recovery and Resilience Facility contracts with individual EDIHs. Contracts are | | | |

published in the Central Contract Register:

- EDIH CASSOVIUM: <https://www.crz.gov.sk/zmluva/8139922/>
- EXPANDI 4.0: <https://www.crz.gov.sk/zmluva/8152240/>
- SK ADIH: <https://www.crz.gov.sk/zmluva/8142196/>
- SCDI: <https://www.crz.gov.sk/zmluva/8144557/>
- CIZ/APEL: <https://www.crz.gov.sk/zmluva/8144474/>

viii. Four EDIHs started their activities in the second half of 2022, following the conclusion of contracts with the EC. The Slovak Digital Innovation Hub (without financial support from the European Commission) will start its activities as of August 2023. Each EDIH has its own information website:

- EDIH CASSOVIUM: <https://edihcassovium.sk/>
- EXPANDI 4.0: <https://www.expandi40.sk/>
- SK ADIH: <https://kinit.sk/>
- SCDI: <https://www.scdi.tech/>
- CIZ/APEL: <https://www.healthhub.sk/en/>

Analysis:

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

This target shall be achieved through: **1. Building a network of four of European Digital Innovation Hubs (EDIHs) in Slovakia that shall provide services to businesses to support the deployment of new technologies and innovation.**

The signed grant agreements between the European Commission and the 5 consortia as well as the signed grant agreements between the MIRRI SR and the consortia (evidence iii) specify that EDIHs are single points of contact that help companies become more competitive in their business or production processes, products, or services through the use of digital technologies. That means these consortia are supposed to focus on the application of technologies such as artificial intelligence, high performance computing, strengthening cybersecurity and other essential and advanced digital technologies. They should provide SMEs the space for testing and experimentation, access to technology, help in obtaining financial support, and upskilling employees' digital skills.

As evidenced by each of the newly founded EDIHs' web pages, they provide SMEs with services which include the testing of innovative technologies (digitalisation and automatization), adult learning, support in attempts to secure funding, and organising networking opportunities (Služby - Cassovium, About us - KInIT, EXPANDI 4.0, Služby – HealthHub, FINAL_Katalog_SCDI_web_SK_EN_1.01_UPRAVY DOBIAS.xlsx).

[The EDIHs] shall participate in the pan-European network of EDIHs. The candidates for establishing the four EDIHs were nominated in September 2020.

Each one of the four DIHs participates in the EU-wide EDIH network, as evidenced by the contracts which were signed with the Commission (see Grant Agreements under call DIGITAL-2021-EDIH-01 of the Digital Europe Programme). An evaluation of the submitted application was carried out in the first half of July 2023 with the successful applicants being awarded contracts for the Facility with effect from July 2023. (see evidences ii. and iii., paragraphs 2.2.)

Slovakia nominated the winners to become potential applicants for the support for the directly managed Digital Europe programme (on the basis of the fulfilment of conditions in call DIGITAL-2021-

EDIH-01). The Deputy Prime Minister and the Minister for Economic Affairs and the Deputy Prime Minister and Minister for Investment, Regional Development and Informatisation of the Slovak Republic picked the winning proposals on the basis the evaluation committee's input (see the nomination letter and grant agreements under call DIGITAL-2021-EDIH-01 of the Digital Europe Programme).

The success of nominated winners in the Call for applications of 9 June 2023 proves that the 5 consortia adhere to the funding criteria set out in Digital Europe and Seal of Excellence standard where relevant due to the eligibility criteria and further specifications which are stated within the call (Call for applications of 9 June 2023, pages 5-12).

The activities and operations which they carry out are in line with Article 16 of Regulation (EU) 2021/694 of the European Parliament and of the Council of 19 April 2021 establishing the Digital Europe Programme, which includes the definition of an EDIH. Therefore, the requirements of the target have been met.

This target shall be achieved through: **2. In addition to the 4 EDIHs, at least one additional centre shall be set up following one of the two options: (a) EDIH without financial support from the Digital Europe programme, which shall be awarded the Seal of Excellence in the EC competition; or (b) a local DIH that shall be selected under the national scheme and is expected to complement the network of existing EDIHs.**

As the fifth consortium (Slovak Digital Innovation Hub) was awarded a Seal of Excellence label under call DIGITAL-2021-EDIH-01 without financial support from the Digital Europe programme, Slovakia is supporting this fifth hub exclusively with RRF resources, creating in total 5 EDIHs – 4 with support from Digital Europe and one with the Seal of Excellence and financial support only from the Recovery and Resilience Facility.

In total, 5 consortia directly signed up to the call for funding from the Digital Europe programme. Four of them received funding amounting to 50% of the total eligible expenditure and one received the Seal of Excellence without funding from the Digital Europe programme. As foreseen in the Council Implementing Decision and the costing of the RRP, the EDIH with a Seal of Excellence receives all its funding from national resources and four selected EDIHs were established with 50% of their funding coming from Digital Europe and the other 50% from the RRF.

Commission Preliminary Assessment: Satisfactorily fulfilled

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| Number: C17.M20 | Related measure: SK-C[C17]-R[R6]: A strategic approach to education in digital skills in cooperation with representatives of key stakeholders | |
| Name of the Milestone: National Digital Skills Strategy | | |
| Qualitative Indicator: Approval of the Digital Skills Strategy by the Slovak Government and publication | | Time: Q4 2022 |
| <p>Context:</p> <p>The objective of the reform is to introduce a strategic approach in the development of digital skills in Slovakia through life-long learning, focussing on people in productive and post-productive age.</p> <p>Milestone C17.M20 concerns the approval of the strategy on persons in productive and post-productive age, including an analysis of the state of play, a definition of existing barriers and a vision of education for the next period and of life-long learning as well as a proposal for measures and recommendations for public administrations to improve the status quo and meet the targets set.</p> <p>Milestone C17.M20 is the only milestone of this reform.</p> | | |
| <p>Evidence provided:</p> <p>In line with the verification mechanism set out in the Operational Arrangements, the following evidence was provided:</p> <ol style="list-style-type: none"> i. Summary document duly justifying how the milestone (including all the constitutive elements) was satisfactorily fulfilled ii. Copy of the National Digital Skills Strategy of the Slovak Republic and Action Plan 2023-2026, published on 2 January 2023 on the website of the Ministry of Investments, Regional Development and Informatization of the Slovak Republic iii. Copy of the Government Resolution No. 799/2022 of 14 December 2022 approving the National Digital Skills Strategy of the Slovak Republic and Action Plan 2023-2026 | | |
| <p>Analysis:</p> <p>The justification and substantiating evidence provided by the Slovak authorities cover all the constitutive elements of the target. In particular:</p> <p>The strategy shall focus on people in productive and post-productive age.</p> <p>The National Digital Skills Strategy covers the training of digital skills of all population groups, covering all age groups. These include: (1) information and communication technology specialists (page 28), (2) young people and educators (page 30), (3) active labour market participants (page 35), (4) girls and women in ICT (page 38), (5) people at risk of digital exclusion (page 41), which includes people from socially and economically disadvantaged groups, older people and people with disabilities. s These priority areas are identified in chapter three of the National Digital Skills Strategy.</p> <p>The strategy shall include an analysis of the state of play of digital skills and a definition of existing barriers.</p> | | |

Chapter two of the National Digital Skills Strategy (entitled 'Analysis of the current situation') describes the current state of digital skills and identifies existing barriers to the development of digital skills in Slovakia.

With regard to the state of play, the European context is sketched followed by an analysis of the situation in Slovakia based primarily on the Digital Economy and Society Index (DESI) and Organisation for Economic Cooperation and Development (OECD) data.

Special focus on the existing barriers is presented in the sub-chapters 'Analysis of the European Context and Slovakia' as well as 'Digital skills and main challenges for Slovakia.'

The strategy shall include a vision of education for the next period and of life-long learning in line with the OECD 2020 recommendations.

The OECD 2020 recommendations on skills in Slovakia prepared in cooperation with Slovak institutions, under the project of the National Skills Strategy in the Slovak Republic, identified four priority areas for improving skills use in Slovakia (Strengthening skills of youth, reducing skills imbalances, promoting higher participation rates in adult learning and strengthening the use of skills in the workplace). These priority areas are reflected in the six strategic objectives of the National Digital Skills Strategy (page 4):

- Strengthening skills of youth: addressed by chapter 3.2, 'Digital skills of young people and educators' (page 30); and chapter 3.4, 'Participation of girls and women in ICT' (page 38)
- Reducing skills imbalances: addressed by chapter 3.1, 'ICT specialists' (page 28); chapter 3.3, 'Digital skills of active labour market participants' (page 35); and chapter 3.4, 'Participation of girls and women in ICT' (page 38)
- Promoting higher participation rates in adult learning: addressed by chapter 3.3, 'Digital skills of active labour market participants' (page 35); and chapter 3.5, 'Digital divide and digital exclusion' (page 41)
- Strengthening the use of skills in the workplace: addressed by chapter 3.1, 'ICT specialists' (page 28); and chapter 3.3, 'Digital skills of active labour market participants' (page 35)

These priority areas are also addressed in the sub-chapter 'Institutional background' of chapter two (page 21).

In chapter 3.2, 'Digital skills of young people and educators' (page 30) education is looked at more specifically and a vision, with strategic objectives, is given. The main strategic objective is increasing the number of people with at least basic minimum skills. The National Digital Skills Strategy regards the development of digital skills and competences not only as the basis for an effective digital transformation in education but also strengthening the profile of graduate, who will be able to participate successfully in society and succeed in the labour market.

With regards to life-long learning, two strategic actions in the National Digital Skills Strategy and Action Plan particularly emphasize the topic of lifelong learning:

- Digital skills of active labour market participants (page 62): An example of a measure included concerns the supporting the development of digital skills of the active workforce with employers promoting reskilling and upskilling education. Employer-organised training to prepare employees for changed working conditions due to changes in technological processes, digitalisation, automatization and robotisation will be subsidized,
- Digital divide and digital exclusion (page 72): An example of a measure includes enhancing the availability of inclusive education and e-inclusion of citizens of all ages and social

backgrounds. This includes the creation of “digital hubs” as part of community and youth centres where community and youth work activities are combined with the use of digital technologies. These hubs can be integrated into pre-existing services and objects.

The strategy shall include a proposal for measures and recommendations for public administrations to improve the status quo and meet the targets set.

The National Digital Skills Strategy includes six strategic objectives related to digital skills. For each of these objectives, there are at least two concrete measures planned to achieve the objectives set in the Action Plan, part of the National Digital Skills Strategy. These measures indicate the body responsible for implementation, particularly the public authority. The overview of measures is given in Annex 1 of the National Digital Skills Strategy (pages 81-83). The six strategic objectives are listed below, along with an example of a measure to achieve it.

- Strengthening the institutional background and effective coordination for digital skills within the public administration: a measure to have more efficient interconnection of public administrations, the National Coalition for Digital Skills and Professions of the Slovak Republic and the alliance of Sector Councils on Digital Skills Development,
- Creating conditions and supporting activities to increase the number of ICT specialists: the application of national visa legislation in order to simplify the employment conditions of foreigners and in particular ICT specialist,
- Developing the digital skills of young people and educators: improving the system of support for teaching staff and specialist staff in the use of digital technologies in the education process through a newly created school position, the digital coordinator,
- Developing the digital skills of active labour market participants, supporting upskilling and, where appropriate, reskilling: a measure to support the digital skills of candidates for employment and jobseekers,
- Increasing the share of girls and women in the IT sector: a measure to increase the number of girls and women in ICT courses in secondary and higher education,
- reducing the digital divide and minimising the negative impacts of digital exclusion: a measure upgrading the digital skills of older people and representatives from other disadvantaged groups

The measures shall be financed from other sources than the RRF.

The individual actions of the action plan have been developed to include multiple sources of funding, which include the state budget and the Slovak programme for funding related to advanced digital skills. One measure of the Action Plan explicitly referring to funding from the RRF is related to investment 7: Improving the digital skills of older people and distribution of Senior tablets (page 80).

Furthermore, in line with the description of the measure, **this reform shall draw up a coherent national strategy for the development of digital skills through life-long-learning, covering people in productive and post-productive age.**

The National Digital Skills Strategy and Action Plan includes the establishment of several strategic aims (page 4):

- Strengthening the institutional background and creating an effective coordination mechanism for digital skills within the public administration, as well as links to the professional community, academia and the business sector;
- Creating conditions and supporting activities to increase the number of ICT specialists;

- Developing the digital skills of young people and educators at all levels of the education process;
- Developing the digital skills of active labour market participants, supporting upskilling and, where appropriate, reskilling;
- Creating conditions and supporting activities to increase the share of girls and women in the IT sector;
- Reducing the digital divide and minimising the negative impacts of digital exclusion. Among other groups, people at risk of the digital divide include older people aged 65+ (post-productive age).

Furthermore, in line with the description of the measure, **the strategy shall be prepared by the MIRRI in cooperation with competent Ministries and representatives of key stakeholders.**

The strategy was prepared by the Ministry of Investments, Regional Development and Informatization. Working groups to prepare the document took place between May and July of 2022 and included different representatives. Representatives of different central government ministries participated, namely the Ministry of Education, Science, Research and Sport and the Ministry of Labour, Social Affairs and Family.

The National Coalition for Digital Skills and Professions of the Slovak Republic was an important partner in the design and implementation of the National Digital Skills Strategy and provided an important link to the private sector as well as ensuring synergies and cooperation with all social partners. The strategy also reflects the cooperation of several institutions and stakeholders, experts from academia, the private sector and civic or interest organizations. The different documents and inputs considered in the National Digital Skills Strategy were posted on 4 August 2023 on the website of the National Coalition for Digital Skills, available at this link; <https://digitalnakoalicia.sk/strategy/narodna-strategia-digitalnych-zrucnosti-slovenskej-republiky-2/>

The National Digital Skills Strategy was also subject to an inter-ministerial consultation procedure between 18 October 2022 and 31 October 2022. Of the 51 commenting entities (including various Slovak ministries and official bodies, the National Bank of Slovakia and stakeholders such as the social partners) 13 provided comments. The final text incorporates 67 of the 86 comments made by these commenting entities. The comments made and how they were addressed is outlined in the evaluation of the inter-ministerial consultation, uploaded at <https://www.slov-lex.sk/legislativne-procesy/-/SK/dokumenty/LP-2022-655>.

In line with the description of the measure, **the strategy shall also propose a long-term sustainable funding and support system for digital skills, while also aiming to create an attractive environment to prevent brain drain and attract foreign experts and researchers.**

The absence of a public support system for the development of digital skills is included among the key challenges identified in chapter 2 of the strategy, with most digital skills training relying on employer funding (page 19).

In response, the National Digital Skills Strategy and Action Plan proposes a long-term support system that addresses the current weaknesses in the governance framework and puts forward specific measures in each of the identified priority areas. The support system relies on a mix of funding sources that include the State budget, cohesion policy funding under Programme Slovakia and funding from the Recovery and Resilience Facility.

For each priority area the funding sources for the corresponding individual measures are identified

(including the priority area under Programme Slovakia): institutional framework (pages 46-49) funded through the national budget, ICT specialists (pages 49-56) funded through the national budget and Programme Slovakia, youth and teachers (pages 53-60) funded through Programme Slovakia, active labour market participants (pages 62-66) funded through Programme Slovakia, girls and women (pages 67-69) funded through Programme Slovakia, digital divide and digital exclusion (pages 72-77) funded through Programme Slovakia, and one measure through the RRF. Not all of the measures require funding. Each measure has been allocated to a responsible ministry or government office.

The summary document further clarifies that each individual measure will be evaluated at least once a year on an ongoing basis and, if necessary, adjusted accordingly. Based on implementation experience and deductions, a new Action Plan will be prepared by the Ministry of Investments, Regional Development and Informatization starting in early 2026.

In the context of attracting and retaining talent, the National Digital Skills Strategy and Action Plan proposes concrete measures addressing brain drain and attracting foreign experts to the country. This concerns in particular Measure 1A (page 49) on the application of national visa legislation in order to simplify the conditions for the employment of foreigners and, in particular, of ICT specialists and the simplification of the system for the recognition of educational and professional qualifications for the exercise of a regulated profession; and Measure 1B (page 50) supporting the development of specific digital skills for the purposes of meeting the objectives of the Research and Innovation Strategy for Smart Specialisation of the Slovak Republic (SK RIS3 2021+).

Commission Preliminary Assessment: Satisfactorily fulfilled