

## **Guidance on drafting the cover note for the recovery & resilience plans**

### **1. Why draft a cover note?**

Taken together, the summary document (cover note) and the attached documentary evidence should address the requirements of:

- Commission Implementing Decision (CID) Annex:
  - a) all elements of the milestone or target as contained in the table in Section 1;
  - b) all elements of the description of the measure in the text of the CID Annex which are directly or indirectly linked to the milestone or target in question;
- further specifications provided in the Operational Arrangements.

### **2. Uploading to FENIX:**

The following documents should be uploaded to FENIX:

- **summary documents (cover notes);**
- **relevant documentary evidence** to help the Commission services understand the Member State's reasoning and evidence demonstrating that the milestone or target has been satisfactorily fulfilled.

### **3. Evidence provided:**

The evidence accompanying the cover note should:

- demonstrate satisfactory fulfilment of the milestone or target (no need to upload evidence beyond what is required);
- be uploaded to FENIX prior to the submission of the payment request, **unless this is impossible for confidentiality, security or technical reasons**. In these cases, the coordinator should directly contact the Commission to clarify how this evidence will be provided;
- have the personal data removed prior to the upload to FENIX (responsibility of the Member State), except for personal data explicitly required to demonstrate fulfilment of the milestone or target (in which case, it is important to tick the relevant box in FENIX);
- have brief but clear and unique file names, ideally numbering each file and allowing a unique reference and show a clear indication of its content;
- include the relevant identifiers, such as the reference to the Official Journal, the date of publication and articles indicating entry into force (the same format for citing legal texts should be used in all cases);
- include the identification of the signatory/ies (function, not names) and the authority they represent, any identifying string of numbers and/or characters and the protocol number, if given (for non-legal documents) and bear the registration number (for instance cadastre documents, companies' registry, boat registry etc.) if they figure in any kind of registry.

- be accompanied by a link to the website where the evidence is published (in case of documents that are published - in case the document is uploaded to an electronic platform, mention the platform and any reference number that permits access to it).
- be presented in a clear and organised way, containing clear cross-references to the requirement the evidence is supposed to prove.
- provide reasonable assurance that the constitutive elements of the milestone/target have been met. For this purpose, the evidence provided should be primary and direct evidence demonstrating the fulfilment of the relevant requirement. Self-declarations are not acceptable.

#### **4. Detailed justification in the cover note:**

For the justification, the following elements should be provided:

- Clear explanation of how the achievement of the milestone/target is demonstrated by the evidence provided, covering ALL the relevant elements;
- Justification of the fulfilment of all elements that are included in the: (a) description of the milestone/target; (b) relevant elements of the description of the investment/reform, which are directly or indirectly linked to the milestone/target; (c) additional requirements from the qualitative/quantitative indicators; and (d) further specifications included in the operational arrangements (if relevant);
- Structure following the elements of the milestone/target and clear references to all elements of the milestone/ target as well as all relevant parts of the measure description, additional requirements from the qualitative/quantitative indicator, and further specifications (if relevant);
- Clear and precise identification of specific part(s) of the evidence referring to specific requirements.

Additional remarks:

- In case the milestone/target description does not contain a numbered list of elements to be fulfilled, the summary note should split the different requirements contained in the respective milestone/target table, description of the measure or further specifications of the operational arrangements and provide the associated justifications and evidence one by one.
- In case there are deviations in substance from the CID/OA (further specifications) requirements, Member States should state what the CID/OA (further specifications) requirement is, what the Member State has done and provide strong justifications in accordance with the Commission's *"Framework for assessing milestones and targets under the RRF Regulation"*<sup>1</sup>.

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<sup>1</sup> Annex I to Commission's Communication from the Commission to the European Parliament and the Council, Recovery and Resilience Facility: Two years on A unique instrument at the heart of the EU's green and digital transformation, 21.2.2023, COM(2023) 99 final.