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COVER NOTE

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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Subject:	Proposal for a COUNCIL IMPLEMENTING DECISION amending Implementing Decision (EU) (ST 10158/21 INIT; ST 10158/21 ADD 1) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Germany

Delegations will find attached document COM(2025) 325 final.

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Proposal for a

COUNCIL IMPLEMENTING DECISION

**amending Implementing Decision (EU) (ST 10158/21 INIT; ST 10158/21 ADD 1) of 13
July 2021 on the approval of the assessment of the recovery and resilience plan for
Germany**

{SWD(2025) 165 final}

Proposal for a

COUNCIL IMPLEMENTING DECISION

amending Implementing Decision (EU) (ST 10158/21 INIT; ST 10158/21 ADD 1) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Germany

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility¹, and in particular Article 20(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Following the submission of the national recovery and resilience plan ('RRP') by Germany on 28 April 2021, the Commission has proposed its positive assessment to the Council. The Council approved the positive assessment by means of the Council Implementing Decision of 13 July 2021². That CID was amended on 14 February 2023³, 8 December 2023⁴, and 16 July 2024⁵.
- (2) On 6 May 2025, Germany made a reasoned request to the Commission to make a proposal to amend the Council Implementing Decision of 13 July 2021 in accordance with Article 21(1) of Regulation (EU) 2021/241 on the grounds that the RRP is partially no longer achievable because of objective circumstances. On that basis, Germany has submitted an amended RRP.

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

- (3) The amendments to the RRP submitted by Germany because of objective circumstances concern 14 measures.
- (4) Germany has explained that four measures are partially no longer achievable, because of uncertainty in the market development. This concerns milestone 4 under measure 1.1.1 (Hydrogen projects within the framework of IPCEIs), target 10 under measure

¹ OJ L 57, 18.2.2021, p. 17

² ST 10158/21 INIT; ST 10158/21 ADD 1

³ ST 5536/23 INIT

⁴ ST 15572/23 INIT

⁵ ST 11674/24 INIT; ST 11674/24 COR 1; ST 11674/24 COR 2(sk); ST 11674/24 ADD 1

1.1.2 (Support programme for decarbonisation in industry) and target 13 under measure 1.1.3 (Pilot scheme for climate action contracts based on the principle of Carbon Contracts for Difference) all under component 1.1 (Decarbonisation using renewable hydrogen in particular) and target 58 under measure 2.1.3 (IPCEI Next Generation Cloud Infrastructure and Services (IPCEI CIS)) under component 2.1 (Data as the raw material of the future). On this basis, Germany has requested to remove milestone 4 and target 13 and has requested to amend the description of measure 1.1.3. Furthermore, Germany has requested to amend target 10 and to amend and decrease the disbursement target 58. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

- (5) Germany has explained that one measure is partially no longer achievable because of a limited response of market players. This concerns target 38 under measure 1.2.6 (Support to promote alternative rail propulsion) under component 1.2 (Climate-friendly mobility). On this basis, Germany has requested to extend the implementation timeline of target 38 and amend the description of measure 1.2.6. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (6) Germany has explained that one measure is partially no longer achievable, because of supply chain disruptions and delays in development. This concerns target 133 under measure 7.1.2 (Support programme for light- and heavy-duty zero-emission transport) under component 7.1 (REPowerEU). On this basis, Germany has requested to amend the description of target 133 and decrease target 133. Furthermore, Germany has requested to amend the description of measure 7.1.2. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (7) Germany has explained that one measure is partially no longer achievable, because of the unexpected difficulties related to the drilling of a geothermal source. This concerns target 45 under measure 1.3.2 (Municipal living labs for the energy transition) under component 1.3 (Climate-friendly renovation and construction). On this basis, Germany has requested to amend the aforementioned measure and target descriptions. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (8) Germany has explained that two measures are partially no longer achievable, because of increased costs and a lack of demand. This concerns target 23 under measure 1.2.1 (Support for the construction of charging infrastructure) under component 1.2 (Climate-friendly mobility) and target 113A under measure 6.1.2 (Digitalisation of the administration—Implementation of the Online Access Act) under component 6.1 (Modern Public Administration). On this basis, Germany has requested to reduce target 23 and the scope of the measure 1.2.1. Furthermore, Germany has requested to reduce target 113A. Furthermore, Germany has requested to add two additional milestones 113B and 113C and to amend the corresponding description of measure 6.1.2. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (9) Germany has explained that two measures have been amended to implement better alternatives in order to achieve the original ambition of the measure. This concerns target 103 under measure 5.1.2 (Programme to future-proof hospitals) under component 5.1 (Strengthening of a Pandemic-resilient Healthcare System) and milestone 129 under measure 6.2.3 (Acceleration of planning and approval procedures in the transport sector) under component 6.2 (Reducing barriers to investment). On this basis, Germany has requested to amend target 103, milestone 129, and the

description of measure 6.2.3. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

- (10) Germany has explained that four measures have been amended to implement a better alternative allowing to reduce the administrative burden, whilst still reaching the objectives of the respective measure. This concerns target 37 under measure 1.2.6 (Support to promote alternative rail propulsion) under component 1.2 (Climate-friendly mobility); target 48B under measure 1.3.3 (Building renovation: federal funding for energy-efficient buildings) under component 1.3 (Climate-friendly renovation and construction); target 64 under measure 2.2.2 (Federal programme 'Building continuing education and training networks [CET networks]) under component 2.2 (Digitalisation of the Economy) and target 88 under measure 4.1.1 (Investment programme 'Childcare-financing' 2020/2021: special fund 'Child Day-care expansion') under component 4.1 (Strengthening of social inclusion). On this basis, Germany has requested to remove the intermediary target 48A and to amend the description of the corresponding measure 1.3.3. Furthermore, Germany has requested to amend the description of targets 37 and 64. Furthermore, Germany has requested to amend target 88 to reduce the administrative burden by updating the scope of the measure 4.1.1 to reflect only the small part of the investment programme that is financed through the RRF and not the broader national measure. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (11) Following the decrease in the level of the implementation of one measure under Article 21 of Regulation (EU) 2021/241, Germany has further requested to use the resources freed up by the decrease in the level of the implementation to increase the level of implementation of one measure. This concerns target 132 under measure 7.1.2 (Support programme for light- and heavy-duty zero-emission transport) under component 7.1 (REPowerEU). On this basis, Germany has requested to increase the level of required implementation of the aforementioned target. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (12) The Commission considers that the reasons put forward by Germany justify the amendment(s) pursuant to Article 21(2) of Regulation (EU) 2021/241, and the Council Implementing Decision of 13 July 2021 should be amended accordingly.

Distribution of milestones and targets

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

Corrections of clerical errors

- (14) Five clerical errors have been identified in the text of the Council Implementing Decision, affecting two targets and three measures under four components. The Council Implementing Decision should be amended to correct these clerical errors that do not reflect the content of the RRP submitted to the Commission on 28 April 2021, as agreed between the Commission and Germany. Those clerical errors relate to target 30A and the description of measure 1.2.3 (Support for the replacement of the private vehicle fleet) under component 1.2 (Climate-friendly mobility); target 131 of measure 7.1.2 (Support programme for light- and heavy-duty zero-emission transport) under component 7.1 (REPowerEU); the description of measure 6.1.1 (European identity ecosystem) under component 6.1 (Modern Public Administration) and the descriptions of component 1.1 (Decarbonisation using renewable hydrogen in particular) and 1.2

(Climate-friendly mobility). Those corrections do not affect the implementation of the measures concerned.

Commission's assessment

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

Contribution to the green transition including biodiversity

- (16) In accordance with Article 19(3), point (e), of and Annex V, criterion 2.5, to Regulation (EU) 2021/241, the modified RRP contains measures that contribute to a large extent (rating A) to the green transition, including biodiversity, or to addressing the challenges resulting therefrom. The measures supporting climate objectives account for an amount which represents 46.3% of the RRP's total allocation, calculated in accordance with the methodology set out in Annex VI to Regulation (EU) 2021/241. In accordance with Article 17 of that Regulation, the modified RRP is consistent with the information included in the National Energy and Climate Plan 2021-2030.
- (17) The measures removed or reduced do not significantly impact the overall ambition of the RRP regarding the green transition. The climate contribution of the modified RRP has decreased from 49.5% to 46.3% compared to the amended assessment.

Contribution to the digital transition

- (18) In accordance with Article 19(3), point (f), of and Annex V, criterion 2.6, to Regulation (EU) 2021/241, the amended RRP contains measures that contribute to a large extent (Rating A) to the digital transition or to addressing the challenges resulting from it. The measures supporting digital objectives account for an amount which represents 46.1% of the amended RRP's total allocation calculated in accordance with the methodology set out in Annex VII to that Regulation.
- (19) The measures removed or reduced do not significantly impact the overall ambition of the RRP regarding the digital transition. The digital contribution of the modified RRP has decreased from 47.5% to 46.1% compared to the amended assessment.

Commission's assessment

- (20) The Commission considers that the amendments put forward by Germany do not affect the positive assessment of the RRP set out in the Council Implementing Decision ST 10158/21 INIT; ST 10158/21 ADD 1 of 13 July 2021 on the approval of the assessment of the RRP for Germany regarding the relevance, effectiveness, efficiency and coherence of the RRP against the assessment criteria laid down in Article 19(3), points (a), (b), (c), (d), (da), (db), (g), (h), (i), (j) and (k).

Positive assessment

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

- (23) The estimated total costs of Germany's amended RRP is EUR 31 081 926 119. As the amount of the estimated total costs of the amended RRP is higher than the maximum financial contribution available for Germany, the financial contribution determined in accordance with Article 20(4) allocated for Germany's amended RRP should be equal to the total amount of the maximum financial contribution available for Germany's modified RRP. This amount is equal to EUR 30 324 665 082.
- (24) Council Implementing Decision (ST 10158/21 INIT; ST 10158/21 ADD 1) of 13 July 2021 on the approval of the assessment of the RRP for Germany should therefore be amended accordingly. For the sake of clarity, the Annex to that Council Implementing Decision should be replaced entirely,

HAS ADOPTED THIS DECISION:

Article 1

The Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Germany is amended as follows: (1) Article 1 is replaced by the following:

"Article 1

Approval of the assessment of the RRP

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

(2) the Annex is replaced by the text in the Annex to this Decision:

Article 2

Addressee

This Decision is addressed to Federal Republic of Germany.

Done at Brussels,

*For the Council
The President*