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#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL IMPLEMENTING DECISION amending the Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Spain

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## **COUNCIL IMPLEMENTING DECISION**

**of ...**

**amending the Implementing Decision of 13 July 2021  
on the approval of the assessment of the recovery and resilience plan for Spain**

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 Facility<sup>1</sup>, and in particular Article 20(1) thereof,

Having regard to the proposal from the European Commission,

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<sup>1</sup> OJ L 57, 18.2.2021, p. 17, ELI: <http://data.europa.eu/eli/reg/2021/241/oj>.

Whereas:

- (1) Following the submission of the national recovery and resilience plan ('RRP') by Spain on 30 April 2021, the Commission proposed its positive assessment to the Council. On 13 July 2021, the Council approved the positive assessment by means of an implementing decision<sup>2</sup> ('the Council Implementing Decision of 13 July 2021'). The Council Implementing Decision of 13 July 2021 was amended by Council implementing decisions of 17 October 2023<sup>3</sup>, 14 May 2024<sup>4</sup>, 21 January 2025<sup>5</sup>, 13 May 2025<sup>6</sup> and 12 June 2025<sup>7</sup>.
- (2) On 9 September 2025, Spain 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, Spain has submitted an amended RRP.

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

- (3) The amendments to the RRP submitted by Spain because of objective circumstances concern 17 measures.

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<sup>2</sup> See documents ST 10150/21 and ST 10150/21 ADD 1 REV 2 at <http://register.consilium.europa.eu>.

<sup>3</sup> See documents ST 13695/23, ST 13695/23 REV 1 (en) and ST 13695/23 ADD 1 REV 1 at <http://register.consilium.europa.eu>.

<sup>4</sup> See documents ST 9303/24 and ST 9303/24 ADD 1 at <http://register.consilium.europa.eu>.

<sup>5</sup> See documents ST 17099/24 and ST 17099/24 ADD 1 at <http://register.consilium.europa.eu>.

<sup>6</sup> See documents ST 8053/25 and ST 8053/25 ADD 1 at <http://register.consilium.europa.eu>.

<sup>7</sup> See documents ST 9583/25, ST 9583/25 ADD1, ST 9583/25 ADD 1 COR 1 and ST 10408/25 at <http://register.consilium.europa.eu>.

- (4) Spain has explained that target 180 of measure C12.I1 (High-value sectoral and interoperable data spaces) under component 12 (Industrial policy) has been amended due to a reduced administrative burden in the implementation of the target, linked to the funding of interoperable projects to leverage synergies and complementary actions, which led to a decreased ex-ante costing while maintaining the same level of ambition. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (5) Spain has explained that nine measures are partially no longer achievable in their current form, due to lack of or insufficient demand. This concerns target 223 of measure C14.I2 (Digitalisation and intelligence programme for destinations and the tourism sector) under component 14 (Tourism), milestone 236 of measure C15.I1 (Promoting territorial cohesion through the deployment of networks: Ultra-fast broadband extension), target 238 of measure C15.I2 (Strengthening connectivity in centres of reference, socio-economic drivers and sectoral digitalisation projects), target 239 of measure C15.I3 (Connectivity vouchers for SMEs and vulnerable groups), target 240 of measure C15.I4 (Infrastructure renewal and sustainability) and target 243 of measure C15.I6 (5G Deployment: networks, technological change and innovation) under component 15 (Digital connectivity). This also concerns target 292 of measure C19.I3 (Digital skills for employment) and milestone 294 of measure C19.I4 (Digital professional) under component 19 (Digital skills) and target 344 of measure C23.I3 (New skills for the green, digital and productive transition) under component 23 (New Public Policies for a Dynamic, Resilient and Inclusive Labour Market). The Council Implementing Decision of 13 July 2021 should be amended accordingly.

- (6) Spain has explained that one measure has been amended due to excessive administrative burden causing significant delays in implementation. This concerns target 288 of measure C19.I1 (Transversal digital skills) under component 19 (Digital skills). The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (7) Following the amendments to measures under Article 21 of Regulation (EU) 2021/241 and decreased ex-ante costing, Spain has further requested that six new measures be added. This concerns milestones 498 and 499 of investment C32.I1 (Green and sustainable mobility and infrastructure), milestones 500 and 501 of investment C32.I2 (Restoration of water, environmental and agricultural infrastructure), target 502 of investment C32.I3 (Employment opportunities for working people for the reconstruction and socio-economic revitalization of the territories affected by the DANA), milestone 503 of investment C32.I4 (Preventing and combating natural disasters: new Spanish component of the Atlantic constellation (ESCA+)), milestone 504 of investment C32.I5 (ICEX DANA and ICEX Aranceles) and milestone 505 of investment C32.I6 (ICO scheme for the support of companies affected by the change in the global tariff environment) under component 32 (Support for recovery and resilience in response to natural disasters). The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (8) The Commission considers that the reasons put forward by Spain justify the amendments pursuant to Article 21(2) of Regulation (EU) 2021/241. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

### ***Commission's assessment***

- (9) 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***

- (10) In accordance with Article 19(3), point (e), of and Annex V, criterion 2.5, to Regulation (EU) 2021/241, the amended 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 40 % of the amended RRP's total allocation and 75 % of the estimated total cost of measures in the REPowerEU chapter calculated in accordance with the methodology set out in Annex VI to Regulation (EU) 2021/241. In accordance with Article 17 of Regulation (EU) 2021/241, the amended RRP is consistent with the information included in the National Energy and Climate Plan 2021-2030.

- (11) The amendments to the contribution to the green transition relate to the decrease in allocation for measure C2.I4 (Regeneration programme and demographic challenge) under component 2 (Implementation of the Spanish Urban Agenda: Urban Rehabilitation and Regeneration Plan) and measure C23.I3 (New skills for the green, digital and productive transition) under component 23 (New Public Policies for a Dynamic, Resilient and Inclusive Labour Market). The amendments to the contribution to the green transition also relate to the allocation for the new measures C32.I1 (Green and sustainable mobility and infrastructure) and C32.I2 (Restoration of water, environmental and agricultural infrastructure) under component 32 (DANA). Overall, due to the differing climate-tagging content of the increased measure and the decreased measures, the amendments to Spain's RRP entail a net increase in the overall contribution to the climate target of the RRP from 39,9 % to 40 %. The limited scope of those amendments does not change the overall assessment of this criterion.

***Contribution to the digital transition***

- (12) 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 25,6 % of the amended RRP's total allocation calculated in accordance with the methodology set out in Annex VII to Regulation (EU) 2021/241.

- (13) The amendments to the contribution to the digital transition relate to the decrease in allocation for: measures C15.I1 (Promoting territorial cohesion through the deployment of networks: Ultra-fast broadband extension), C15.I2 (Strengthening connectivity in centres of reference, socio-economic drivers and sectoral digitalisation projects), C15.I3 (Connectivity vouchers for SMEs and vulnerable groups) and C15.I6 (5G Deployment: networks, technological change and innovation) under component 15 (Digital connectivity); measures C19.I1 (Transversal digital skills), C19.I3 (Digital skills for employment) and C19.I4 (Digital professionals) under component 19 (Digital skills); and measure C23.I3 (New skills for the green, digital and productive transition) under component 23 (New Public Policies for a Dynamic, Resilient and Inclusive Labour Market). They also relate to the removal of measure C15.I4 (Infrastructure renewal and sustainability) under component 15 (Digital connectivity).
- (14) The amendments to the contribution to the digital transition also relate to the allocation for the new measures C32.I2 (Restoration of water, environmental and agricultural infrastructure) and C32.I4 (Preventing and combating natural disasters: new Spanish component of the Atlantic constellation (ESCA+)) under component 32 (DANA). Overall, due to the differing digital-tagging content of the increased measure and the decreased measures, the amendments to Spain's RRP entail a net decrease in the overall contribution to the digital target of the RRP from 25,8 % to 25,6 %. The limited scope of those amendments does not change the overall assessment of this criterion.



### ***Costing***

- (15) In accordance with Article 19(3), point (i), of and Annex V, criterion 2.9, to Regulation (EU) 2021/241, the justification provided in the amended RRP on the amount of the estimated total cost of the RRP is to a medium extent (rating B) reasonable and plausible, is in line with the principle of cost efficiency and is commensurate with the expected national economic and social impact.
- (16) The amount of the estimated total cost of the amended RRP is in line with the nature and type of the envisaged reforms and investments. As a result, cost estimates for most of the measures in the amended RRP are deemed reasonable and plausible. Spain has provided sufficient information and evidence that the amount of the estimated total cost is not covered by existing or planned Union financing. Finally, the estimated total cost of the amended RRP is in line with the principle of cost efficiency and commensurate with the expected national economic and social impact. Therefore, a rating B is warranted for the amended RRP.

### ***Any other assessment criteria***

- (17) The Commission considers that the amendments put forward by Spain do not affect the positive assessment of the RRP set out in the Council Implementing Decision of 13 July 2021 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), of Regulation (EU) 2021/241.

### ***Positive assessment***

- (18) 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.

### ***Financial contribution***

- (19) The estimated total cost of Spain's amended RRP is EUR 79 869 593 473. As the amount of the estimated total cost of the amended RRP is higher than the updated maximum financial contribution available for Spain, the financial contribution determined in accordance with Article 4a of Regulation (EU) 2021/1755 of the European Parliament and of the Council<sup>8</sup> and with Article 20(4) and 21a(6) of Regulation (EU) 2021/241 that is allocated for Spain's amended RRP should be equal to EUR 79 854 183 024. Therefore, the financial contribution made available to Spain remains unchanged.

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<sup>8</sup> Regulation (EU) 2021/1755 of the European Parliament and of the Council of 6 October 2021 establishing the Brexit Adjustment Reserve (OJ L 357, 8.10.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/1755/oj>).

## ***Loans***

- (20) The loan support made available to Spain amounting to EUR 83 160 060 000 remains unchanged.
- (21) The Council Implementing Decision of 13 July 2021 should therefore be amended accordingly. For the sake of clarity, the Annex to the Council Implementing Decision of 13 July 2021 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 Spain 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 Spain 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 set out in the Annex to this Decision.

*Article 2*

This Decision is addressed to the Kingdom of Spain.

Done at ..., ...,

*For the Council*

*The President*

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