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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL IMPLEMENTING DECISION amending the Implementing Decision of 29 October 2021 on the approval of the assessment of the recovery and resilience plan for Romania

COUNCIL IMPLEMENTING DECISION

of ...

**amending the Implementing Decision of 29 October 2021
on the approval of the assessment of the recovery and resilience plan for Romania**

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,

¹ 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 Romania on 31 May 2021, the Commission proposed its positive assessment to the Council. On 29 October 2021, the Council approved the positive assessment by means of an implementing decision² ('the Council Implementing Decision of 29 October 2021'). The Council Implementing Decision of 29 October 2021 was amended by the Council Implementing Decision of 8 December 2023³.
- (2) On 12 September 2025, Romania made a reasoned request to the Commission to make a proposal to amend the Council Implementing Decision of 29 October 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, Romania has submitted an amended RRP.

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

- (3) The amendments to the RRP submitted by Romania because of objective circumstances concern 164 measures.
- (4) Romania has explained that one measure is partially no longer achievable, because of price increases. This concerns measure C13.I1. On this basis, Romania has requested that this measure be amended. The Council Implementing Decision of 29 October 2021 should be amended accordingly.

² See documents ST 12319/21 and ST 12319/21 ADD 1 at <http://register.consilium.europa.eu>.

³ See documents ST 15833/23 and ST 15833/23 ADD 1 at <http://register.consilium.europa.eu>.

- (5) Romania has explained that five measures are partially no longer achievable, because of supply chain disruptions. This concerns measures C6.I4, C15.I9, C15.I11, C15.I16 and C16.I5. On this basis, Romania has requested that those measures be amended. The Council Implementing Decision of 29 October 2021 should be amended accordingly.
- (6) Romania has explained that 66 measures are partially no longer achievable, because of unforeseen circumstances or significant implementation delays beyond the control of the Member State, including contractor performance issues and impediments to the progress of the measures that have rendered the initial planning unfeasible. This includes measures that are partially no longer achievable in their current form due to lack of, or insufficient demand. This concerns measures C1.R2, C1.I1, C1.I2, C1.I4, C1.I5, C2.I1, C2.I2, C2.I3, C2.I4, C3.I1, C3.I2, C3.I3, C4.I1, C4.I2, C4.I3, C5.I1, C5.I2, C5.I4, C6.I2, C6.I3, C7.I3, C7.I4, C7.I8, C7.I9, C7.I15, C7.I17, C8.I1, C8.I3, C8.I4, C8.I5, C8.I7, C8.I10, C9.R1, C9.I3, C9.I4, C10.R5, C10.I1, C10.I2, C10.I4, C11.I1, C11.I2, C11.I4, C11.I5, C11.I6, C11.I7, C12.I1, C12.I2, C13.I2, C13.I4, C14.R4, C14.R6, C14.I4, C15.R2, C15.R4, C15.I1, C15.I2, C15.I3, C15.I4, C15.I6, C15.I8, C15.I10, C15.I13, C15.I14, C15.I17, C15.I18 and C16.I7. On this basis, Romania has requested that those measures be amended. The Council Implementing Decision of 29 October 2021 should be amended accordingly.

- (7) Romania has explained that 16 measures have been amended to implement better alternatives in order to achieve their original ambition. This concerns measures C2.I5, C5.R1, C6.I5, C8.R1, C8.R5, C8.I2, C8.I8, C9.R2, C9.R3, C9.R4, C9.I2, C9.I5, C10.I3, C14.R5, C15.R7 and C16.I4. On this basis, Romania has requested that those measures be amended. The Council Implementing Decision of 29 October 2021 should be amended accordingly.
- (8) Romania has explained that 61 measures have been amended to implement better alternatives that allow the administrative burden to be reduced and simplify the Council implementing decision, while still achieving the objectives of those measures. This concerns measures C1.I6, C2.R1, C2.R2, C3.R1, C4.R1, C4.R2, C6.R1, C6.R2, C6.R3, C6.R4, C6.R6, C7.I1, C7.I2, C7.I5, C7.I6, C7.I7, C7.I10, C7.I11, C7.I12, C7.I13, C7.I14, C7.I16, C7.I18, C7.I19, C8.R2, C8.R3, C8.R4, C8.R6, C8.I6, C8.I9, C9.R5, C9.I1, C9.I8, C9.I9, C9.I10, C10.R1, C10.R2, C10.R3, C10.R4, C11.R1, C11.R3, C12.R1, C12.R3, C13.R1, C13.R2, C13.R3, C13.R4, C13.R5, C13.I3, C14.R1, C14.R2, C14.R3, C14.R7, C14.R8, C14.R9, C15.R1, C15.R5, C15.I5, C16.R1, C16.R2 and C16.I2. On this basis, Romania has requested that those measures be amended. The Council Implementing Decision of 29 October 2021 should be amended accordingly.
- (9) Romania has requested that 15 measures be removed due to objective circumstances. This concerns measures C1.I3, C1.I7, C4.I4, C5.I3, C9.I6, C9.I7, C14.I1, C14.I2, C14.I3, C15.I7, C15.I12, C15.I15, C16.I1, C16.I3 and C16.I6. The Council Implementing Decision of 29 October 2021 should be amended accordingly.

- (10) Following the amendments to measures in accordance with Article 21 of Regulation (EU) 2021/241 and a related reduction in the underlying costing, Romania has requested to use the resources freed up by the removal of measures and the decrease in the level of their implementation. On this basis, Romania has requested that 20 new measures be added: C3.I1a (Construction of voluntary waste collection centres at county level or at city/municipality level); C4.I3a (Increasing the sustainability of road infrastructure on TEN-T network, road charging, traffic management and road safety); C5.I1a (Establishment of a renovation wave fund to finance works to increase the energy efficiency of the existing building stock); C6.I4a (New electricity storage capacities); C6.I5a (Ensuring energy efficiency in the industrial sector); C7.I19a (Schemes to upskill/reskill employees in firms); C8.I11 (Equity injection into the National Development Bank); C9.R2a (Streamline governance of research, development and innovation); C9.I2.2a (Financial instruments for the private sector); C9.I3.1a (Private sector aid schemes); C9.I5a (Establishment of Centres of Competence); C10.I3a (Renovation of public buildings to support better public service delivery by administrative territorial units); C11.R3a (Reforming the funding system for the cultural sector); C12.I3 (Public hospitals); C12.I4 (Modernisation of emergency health care), C15.I1a (Construction and equipping of crèches); C15.I10a (Green-schools network construction); C15.I16a (Digitalisation of universities and their preparation for the digital professions of the future); C16.I4a (Grant Voucher Scheme to accelerate the rollout of renewable energy by households); and C16.I8 (Contracts for difference allocation). The Council Implementing Decision of 29 October 2021 should be amended accordingly.

Distribution of milestones and targets

- (11) The distribution of milestones and targets in instalments should be amended to take into account the amendments to the RRP and the indicative timeline presented by Romania.

Commission's assessment

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

Contribution to growth potential, job creation and economic, social and institutional resilience

- (13) In accordance with Article 19(3), point (c), of, and criterion 2.3 of Annex V to, Regulation (EU) 2021/241, the amended RRP is expected to have a high impact (rating A) on strengthening the growth potential, job creation, and economic, social and institutional resilience of Romania, contributing to the implementation of the European Pillar of Social Rights, including through the promotion of policies for children and youth, and on mitigating the economic and social impact of the COVID-19 crisis, thereby enhancing the economic, social and territorial cohesion and convergence within the Union.

- (14) The amendments to the contribution to economic, social and institutional resilience relate to the allocation for the new measures C8.I11(Equity injection into the National Development Bank) and C12.I4 (Modernisation of emergency health care), notably by including, respectively, measures to support the growth potential by structurally adjusting the level of public support available to address market failures and measures to support health resilience by modernising emergency health care.

Contribution to the green transition, including biodiversity

- (15) In accordance with Article 19(3), point (e), of, and criterion 2.5 of Annex V 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 40,6 % of the amended RRP's total allocation and 97,6 % 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.

- (16) The amendments to the contribution to the green transition relate to the amendments of 39 measures, i.e. C1.I4, C1.I5, C2.I1, C2.I2, C2.I3, C3.I1, C3.I2, C3.I3, C4.I1, C4.I2, C4.I3, C4.I4, C5.I1, C5.I3, C6.I2, C6.I3, C6.I4, C6.I5, C9.I2, C10.I1, C10.I2, C10.I3, C11.I2, C11.I4, C12.I1, C12.I2, C13.I1, C13.I2, C15.I1, C15.I6, C15.I7, C15.I10, C15.I12, C15.I17, C16.I1, C16.I3, C16.I4, C16.I5 and C16.I7. Overall, due to the differing climate-tagging content of the increased measure and the decreased measures, the amendments to Romania's RRP entail a net decrease in the overall contribution to the climate target of the RRP from 44,1 % to 40,61 %. The measures related to the green transition, including biodiversity, in the amended RRP, including the REPowerEU chapter, have a lasting impact as the measures aim at structural changes to reduce Romania's overall reliance on fossil fuels and at increasing energy savings by shifting to green technologies, in particular those related to renewable energy sources, and by promoting sustainable practices across various sectors. As a result, the measures also contribute to achieving the 2030-2050 targets and the objective of the EU climate neutrality by 2050. The limited scope of those amendments does not change the overall assessment of this criterion.

Contribution to the digital transition

- (17) In accordance with Article 19(3), point (f), of, and criterion 2.6 of Annex V 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 21,3 % of the amended RRP's total allocation calculated in accordance with the methodology set out in Annex VII to Regulation (EU) 2021/241.

- (18) The amendments to the contribution to the digital transition relate to the decrease in allocation for 29 measures, i.e. C1.I4, C1.I7, C3.I1, C3.I3, C4.I1, C4.I2, C4.I3, C6.I.4, C7.I3, C7.I4, C7.I5, C7.I8, C7.I9, C7.I15, C7.I17, C7.I18, C7.I19, C9.I2, C9.I3, C10.I2, C10.I4, C11.I1, C12.I2, C15.I2, C15.I4, C15.I6, C15.I13, C15.I14 and C16.I5. Overall, due to the differing digital-tagging content of the increased measure and the decreased measures, the amendments to Romania's RRP entail a net decrease in the overall contribution to the digital target of the RRP from 21,8 % to 21,3 %. The limited scope of these amendments does not change the overall assessment of this criterion.

Contribution to the REPowerEU objectives

- (19) In accordance with Article 19(3), point (da), of, and criterion 2.12 of Annex V to, Regulation (EU) 2021/241, the REPowerEU chapter is expected to effectively contribute to a large extent (rating A) to energy security, the diversification of the Union's energy supply, an increase in the uptake of renewables and in energy efficiency, an increase of energy storage capacities or the necessary reduction of dependence on fossil fuels before 2030.
- (20) The amendments to the contribution to the REPowerEU objectives relate to the allocation for the new measure C16.I8 (Contracts for difference allocation), by including investments that support renewable electricity generation projects, which incentivise rapid deployment of clean energy technologies and reduce reliance on fossil fuels.

Costing

- (21) In accordance with Article 19(3), point (i), of, and criterion 2.9 of Annex V 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.
- (22) According to the information provided, the assessment of the cost estimates for the new measures and for the existing measures whose modifications entailed a new cost assessment show that most of the costs are reasonable and plausible. Only in a few cases, details on the methodology and assumptions used to make the cost estimates were limited, partly due to the novelty of the measures. This precludes an A rating for this assessment criterion. Furthermore, the changes in the cost estimates for the other modified measures were justified, proportional to the new revised targets and supported by detailed calculations and evidence, and as such the reasonability and plausibility of these cost estimates were not altered compared to the original RRP. Finally, the estimated total cost of the RRP is in line with the principle of cost-efficiency and commensurate with the expected national economic and social impact.

Any other assessment criteria

- (23) The Commission considers that the amendments put forward by Romania do not affect the positive assessment of the RRP set out in the Council Implementing Decision of 29 October 2021 regarding the relevance, effectiveness, efficiency and coherence of the RRP against the assessment criteria laid down in Article 19(3), points (a), (b), (d), (db), (g), (h), (j) and (k), of Regulation (EU) 2021/241.

Positive assessment

- (24) 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 should be set out.

Financial contribution

- (25) The estimated total cost of Romania's amended RRP is EUR 21 410 527 593. As the amount of the estimated total cost of the amended RRP is higher than the updated maximum financial contribution available for Romania, the financial contribution determined in accordance with Article 4a of Regulation (EU) 2021/1755 of the European Parliament and of the Council⁴ and with Article 20(4) and Article 21a(6) of Regulation (EU) 2021/241 that is allocated for Romania's amended RRP should be equal to EUR 13 566 055 514. Therefore, the financial contribution made available to Romania remains unchanged.

⁴ 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

- (26) In order to support additional reforms and investments, a total loan support of EUR 14 931 380 419 was made available to Romania by means of the Council Implementing Decision of 29 October 2021. Following the removal or decrease in the level of implementation of measures C1.I1, C1.I2, C1.I3, C1.I4a, C1.I7, C2.I4a, C3.I2, C4.I3, C4.I4, C5.I1, C5.I3, C6.I2, C6.I3, C6.I4, C7.I18, C9.I2a, C9.I6, C9.I7, C10.I2, C10.I3, C10.I4, C11.I1, C15.I13, C15.I15, C15.I17 and C16.I6 under Article 21 of Regulation 2021/241, Romania has requested to use part of the freed-up loan resources to support new measures or to increase the level of implementation of existing measures within the RRP. The amount of the estimated total costs of the RRP is lower than the combined financial contribution available for Romania and the loan support that had been made available to Romania by means of the Council Implementing Decision of 29 October 2021. Therefore, the total loan support made available to Romania should be reduced to EUR 7 844 472 079.
- (27) The amount of the financial contribution for Romania should be determined in accordance with Article 20 of Regulation (EU) 2021/241 and the amount of the loan should be set out in accordance with Article 20(5), point (h), of that Regulation. However, pursuant to the Commission Implementing Decision of 18 December 2024 on the reduction of the amount of the second instalment of the loan support for Romania, adopted in accordance with Article 24(8) of Regulation (EU) 2021/241, the loan has been reduced by EUR 10 772 581 and Romania cannot request its disbursement from the Commission.

- (28) The Council Implementing Decision of 29 October 2021 should therefore be amended accordingly. For the sake of clarity, the Annex to the Council Implementing Decision of 29 October 2021 should be replaced entirely.
- (29) This Decision should be without prejudice to procedures relating to distortions of the operation of the internal market that may be undertaken, in particular under Articles 107 and 108 of the Treaty. It does not override the requirement for Member States to implement the measures in accordance with Union and national law and, in particular, to notify instances of potential State aid to the Commission under Article 108 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1
Approval of the assessment of the RRP

The assessment of the amended RRP of Romania on the basis of the criteria provided for in Article 19(3) of Regulation (EU) 2021/241 is approved.

Article 2
Amendments

The Council Implementing Decision of 29 October 2021 on the approval of the assessment of the recovery and resilience plan for Romania is amended as follows:

- (1) in Article 3, paragraph 1 is replaced by the following:
 - ‘1. The Union shall make available to Romania a loan amounting to a maximum of EUR 7 844 472 079.’;
- (2) the Annex is replaced by the text appearing in the Annex to this Decision.

Article 3
Addressee

This Decision is addressed to Romania.

Done at ..., ...

For the Council
The President
