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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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

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 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 Spain on 30 April 2021, the Commission has proposed its positive assessment to the Council. On 13 July 2021, the Council approved the positive assessment by means of an implementing decision ('the Council Implementing Decision of 13 July 2021')². The Council Implementing Decision of 13 July 2021 was amended by Council implementing decisions of 17 October 2023³, 14 May 2024⁴ and 21 January 2025⁵.
- (2) On 21 March 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 12 measures.

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

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

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

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

- (4) Spain has explained that 11 measures have been amended as a better alternative for the implementation of each measure exists that allows the administrative burden to be reduced, whilst still achieving the objectives of the respective measures. These concern target 70 of measure I3 (Investment: Restoration of ecosystems and green infrastructure) under component 4 (Ecosystems and biodiversity); targets 76 and 427 and the description of measure I1 (Investment: Implementation of treatment, sanitation, efficiency, savings, re-use and infrastructure safety (DSEAR) actions) under component 5 (Coast and water resources); milestone 160 of measure I1 (Investment: Modernisation of the General State Administration) and milestone 163 and the description of measure I2 (Investment: Specific projects to digitalise the central government) under component 11 (Modernisation of public administrations); targets 196 and 198 and the description of measure I2 (Investment: Growth) under component 13 (Support to SMEs); target 262 and the description of measure I3 (Investment: New private, interdisciplinary, public R&D&I projects, concept tests and the award of aid as a result of international competitive calls. Cutting-edge R&D geared to societal challenges. Pre-commercial public procurement) and target 263 and the description of measure I4 (Investment: New scientific career) under component 17 (Science, technology and innovation); target 279 of measure I1 (Investment: Investment plan for high-tech equipment in the National Health System) under component 18 (Refurbishment and extension of capacities of the national health system); target 312 and the description of measure I4 (Investment: training of teaching and research staff) and target 468 and the description of measure I6 (Investment: Plan for the development of university micro-credentials) under component 21 (Modernisation and digitalisation of education, including early education 0-3); and targets 321 and 323 and the description of measure I1 (Investment: Long-term care and support plan: deinstitutionalisation, equipment and technology) under component 22 (Action plan for the care economy, strengthening equality and inclusion policies).

On this basis, Spain has requested that unnecessary background information or procedural elements that do not contribute to the objectives of the measures be removed, that it be clarified that certain elements relate to the objectives or the context of the measures, and that descriptions of measures or milestones and targets that cause an unjustified administrative burden for achieving the objectives of the respective measures be simplified. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

- (5) Spain has explained that target 349 under measure I6 (Investment: Comprehensive plan to boost the social economy) under component 23 (New public policies for a dynamic, resilient and inclusive labour market) is no longer achievable, because of large-scale floods. On this basis, Spain has requested that the implementation timeline for the aforementioned target be extended. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (6) 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.

Distribution of milestones and targets

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

Commission's assessment

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

Positive assessment

- (10) 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

- (11) The estimated total cost of Spain's amended RRP is EUR 163 029 653 473. As the amount of the estimated total cost of the amended RRP is equal to 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 Council⁶ and Article 20(4) and Article 21a(6) of Regulation (EU) 2021/241 allocated for Spain's amended RRP should be equal to EUR 163 029 653 473. Therefore, the financial contribution made available to Spain remains unchanged.
- (12) 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:

⁶ 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>).

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
