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Proposal for a

COUNCIL IMPLEMENTING DECISION

**amending Implementing Decision (EU) (ST 10156/21 INIT; ST 10156/21 ADD 1) of 13
July 2021 on the approval of the assessment of the recovery and resilience plan for
Slovakia**

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amending Implementing Decision (EU) (ST 10156/21 INIT; ST 10156/21 ADD 1) of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Slovakia

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 Slovakia on 29 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 Council Implementing Decision was amended on 14 July 2023³.
- (2) On 21 March 2025, Slovakia 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, Slovakia has submitted an amended RRP.

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

- (3) The amendments to the RRP submitted by Slovakia because of objective circumstances concern 57 measures.
- (4) Slovakia has explained that 10 measures are partially no longer achievable, because of unexpected technical difficulties that significantly delayed its implementation; due to insufficient demand and the fact that tenders did not attract enough bidders; and due to supply chain disruptions. This concerns, respectively, milestone 3 under investment 1 named The operation of the industry decarbonisation scheme under component 4 named Decarbonisation of Industry; target 5 under investment 1 named The adaptation

¹ OJ L 57, 18.2.2021, p. 17.

² ST 10156/21 INIT; ST 10156/21 ADD 1; ST 10156/21 ADD 1 COR 1.

³ ST 11205/23 INIT; ST 11205/23 ADD 1; ST 11205/23 ADD 1 COR 1.

of regions to climate change with an emphasis on nature conservation and biodiversity development under component 5 named Adaptation to climate change; target 15 under investment 1 named Removing barriers in school buildings under component 6 named Accessibility, development and quality of inclusive education; milestone 8 under investment 2 named Completion of the school infrastructure under component 7 named Education for the 21. century; target 3 under investment 1 named Buildings for the reorganised court system under component 15 named Judicial reform; target 12 under investment 3 named Modernisation of the fire and rescue system under component 16 named Fight against corruption and money laundering, security and protection of the population. On this basis, Slovakia has requested to amend the wording of the aforementioned milestones and targets. Furthermore, Slovakia has requested to remove targets 5 and 6 under investment 1 named The adaptation of regions to climate change with an emphasis on nature conservation and biodiversity development under component 5 named Adaptation to climate change, and investment 6 named Establishment of a repository of psychdiagnostic methods under component 12 named Human, modern and accessible mental healthcare. Furthermore, Slovakia has requested to extend the timeline of milestone 6 under investment 2 named Digitalisation and analytical capacities, under component 15 named Judicial reform; milestone 7 under investment 2 named Equipping and digitalising the police force under component 16 named Fight against corruption and money laundering, security and protection of the population. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

- (5) Slovakia has explained that one measure is totally no longer achievable due to delays in public procurement. This concerns milestone 7 under investment 2 named Digitalisation and analytical capacities under component 15 named Judicial reform. On this basis, Slovakia has requested to remove the aforementioned milestone. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (6) Slovakia has explained that 14 measures have been amended to implement better alternatives in order to achieve the original ambition of the measure. This concerns milestone 1 under reform 1 named The harmonisation of support mechanisms for the renovation of family houses under component 2 named Renovation of buildings; target 7 under investment 2 named Renovation of historical and listed public buildings under component 2 named Renovation of buildings; target 5 under investment 1 named Promoting international cooperation and participation in Horizon Europe and EIT projects under component 9 named More efficient management and strengthening of R&D&I funding; target 10 under investment 2 named New hospital network – construction, reconstruction and equipment under component 11 named Modern and accessible healthcare; investment 1 named Project management and project preparation of investments, and target 3 under investments 3, 4 and 5 named Building psycho-social centres, Completing the psychiatric stationary network, and Establishment of specialised centres for autism spectrum disorders under component 12 named Human, modern, and accessible mental health care; target 8 under investment 1 named Enhancing community-based social care capacities under component 13 named Accessible and high-quality long-term socio-health care; target 10 under investment 1 named Enhancing community-based social care capacities under component 13 named Accessible and high-quality long-term socio-health care; target 12 under investment 2 named Extension and renewal of after-care and nursing capacities under component 13 on Accessible and high-quality long-term socio-health care; target 13 under investment 3 named Enhancing and restoring palliative care capacities under component 13 Accessible and high-quality long-term socio-health

care; target 11 under investment 3 named Modernisation of the fire and rescue system under component 16 named Fight against corruption and money laundering, security, and protection of the population; target 12 under investment 3 named Engaging in multi-country European projects related to the digital economy under component 17 named Digital Slovakia; targets 14 and 15 under investment 4 named Support for projects aiming at the development and application of top digital technologies under component 17 named Digital Slovakia; milestone 11 under Reform 2 named Supporting the green transition and under component 19 named REPowerEU. On this basis, Slovakia has requested to amend the wording of the aforementioned milestones and targets. The Council Implementing Decision of 13 July 2021 should be amended accordingly.

- (7) Slovakia has explained that 11 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 12 under investment 3 named Digitalisation in health under component 11 named Modern and accessible healthcare; targets 7, 8, 9 and 10 under investment 1 named Enhancing community-based social care capacities, and target 14 under investment 3 named Enhancing and restoring palliative care capacities under component 13 named Accessible and high-quality long-term socio-healthcare; milestone 2 under investment 1 named Capacities for reforms to reduce regulatory burden, and milestone 3 under reform 1 named Reducing regulatory burden for businesses under component 14 named Improve the business environment; targets 3 and 4 of investment 1 named Buildings for the reorganised court system, and milestone 9 of investment 2 named Digitalisation and analytical capacities under component 15 named Judicial reform; targets 4, 5 and 6 under investment 1 named Better services for citizens and businesses under component 17 named Digital Slovakia. On this basis, Slovakia has requested to amend the wording of the aforementioned milestones and targets. Furthermore, Slovakia has requested to remove reform 3 named Modernisation of diagnostic methods and treatments under component 12 named Human, modern and accessible mental healthcare. Furthermore, Slovakia has requested to shorten the timeline of target 5 under investment 1 named Support tools and assistance for returnees, highly qualified third-country workers and their family members and foreign higher education students studying in Slovakia under component 10 named Attracting and retaining talents; and target 8 under investment 2 named Digitalisation and analytical capacities under component 15 named Judicial reform. The Council Implementing Decision of 13 July 2021 should be amended accordingly.
- (8) Slovakia has further requested to use the resources freed up by the removal of measures and the decrease in their level of implementation to add two new measures and increase the level of implementation of 10 measures. This concerns one new target 9 under new investment 2 named on Building forests resilient to climate change and milestone 8 under reform 2 named Reforming nature conservation and water management in the countryside under component 5 named Adaptation to climate change. On this basis, Slovakia has requested to add the aforementioned milestone, target and investment description. Furthermore, Slovakia has requested to increase the level of required implementation of the following milestones, targets and measure descriptions. This concerns target 7 under investment 2 named Renovation of public historical and listed buildings under component 2 named Renovation of buildings; target 10 under investment 2 named Promoting clean passenger transport under component 3 named Sustainable transport; target 3 under reform 1 named Providing conditions for the implementation of compulsory pre-primary education for children

from the age of 5 and introducing a legal entitlement to a place in kindergarten or other pre-primary education providers from the age of 3 under component 6 named Accessibility, development and quality of inclusive education; milestone 8 under investment 2 named Completion of the school infrastructure under component 7 named Education for the 21st century; target 10 under investment 1 named Investment support for the strategic development of universities under component 8 named Improving the performance of Slovak universities; target 10 under investment 2 named New hospital network – construction, reconstruction and equipment under component 11 named Modern and accessible healthcare; targets 8 and 10 under investment 1 named Enhancing community-based social care capacities under component 13 named Accessible and high-quality long-term socio-health care; target 15 under investment 1 named Modernisation and digitalisation of transmission system and regional distribution systems, target 22 under investment 4 named Supporting the renovation of households at risk of energy poverty, and target 25 under investment 6 named Promoting clean passenger transport under component 19 named REPowerEU. The Council Implementing Decision of Slovakia should be amended accordingly.

- (9) The Commission considers that the reasons put forward by Slovakia justify the amendments 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

- (10) 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 Slovakia.

Corrections of clerical errors

- (11) Two clerical errors have been identified in the text of the Council Implementing Decision, affecting one milestone and one target and two measures under two 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 29 April 2021, as agreed between the Commission and Slovakia. Those clerical errors relate to milestone 2 under investment 1 named capacities for reforms to reduce regulatory burden under component 14 named improve the business environment; and target 5 of investment 2 named equipping and digitalising the police force under component 16 named fight against corruption and money laundering, security and protection of the population. These corrections do not affect the implementation of the measures concerned.

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.

Do no significant harm

- (13) In accordance with Article 19(3), point (d), of and Annex V, criterion 2.4, to Regulation (EU) 2021/241, the amended RRP is expected to ensure that no measure (Rating A) for the implementation of reforms and investments projects included in this RRP does significant harm to environmental objectives within the meaning of Article

17 of Regulation (EU) 2020/852 of the European Parliament and of the Council⁴ (the principle of ‘do no significant harm’).

- (14) Slovakia has submitted an assessment of the principle of ‘do no significant harm’ for one new investment (target 9 of new Investment 2 on building forests resilient to climate change under component 5 on adaptation to climate change). The information provided shows that the plan is expected to ensure compliance with this principle. Other modifications of the measures included in the original RRP do not have an impact on the assessment of the principle of ‘do no significant harm’.

Contribution to the green transition including biodiversity

- (15) 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 41.08% of the amended RRP’s total allocation and 84.66% of the total estimated costs 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 modification of the plan does not materially impact its ambition towards the green transition despite a decrease of 4.6 percentage points in the share of the total allocation to measures supporting climate objectives mainly due to EUR 327 million decrease in the allocation to investment 1 “The operation of the industry decarbonisation scheme” under component 4 “Decarbonisation of industry”. The modified RRP still significantly supports green transition objectives, the enhancement of biodiversity, and environmental protection. In particular, the REPowerEU chapter continues to support the green transition, as its reforms and investments contribute to reduce the reliance on fossil fuels, reduce energy demand and increase energy efficiency.

Contribution to the digital transition

- (17) 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 21.02% of the amended RRP’s total allocation calculated in accordance with the methodology set out in Annex VII to that Regulation.
- (18) The modification of the plan reinforces its ambition towards the digital transition. In particular, due to the increase in the digital contribution of investment investment 3 “Modernisation of the fire and rescue system” under component 16 “Fight against corruption and money laundering, security and protection of the population” and investment 1 “Modernisation and digitalisation of transmission system and regional distribution systems” under component 19 “REPowerEU”.

Protection of the financial interests of the Union

⁴ Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

- (19) In accordance with Article 19(3), point (j) and Annex V, criterion 2.10 to Regulation (EU) 2021/241, the arrangements proposed in the amended RRP including the REPowerEU chapter and the additional measures contained in this Council Implementing Decision are adequate (Rating A) to prevent, detect and correct corruption, fraud and conflicts of interests when using the funds provided under that Regulation, and the arrangements are expected to effectively avoid double funding under that Regulation and other Union programmes. This is without prejudice to the application of other instruments and tools to promote and enforce compliance with Union law, including for preventing, detecting, and correcting corruption, fraud, and conflicts of interest, and for protecting the Union budget in line with Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council⁵.
- (20) Since the previous assessment, the Commission has had access to information on the Slovak audit and control system's actual implementation. This includes the findings of the audit on the protection of the financial interests of the Union performed by the Commission in Slovakia.
- (21) In light of this information, the Commission considers that the internal control system of the Slovak RRP is overall adequate, but it has some deficiencies that should be addressed through a dedicated audit and control milestone. The internal control system described in the modified Slovak recovery and resilience plan and arrangements proposed, including the REPowerEU chapter, are based on robust processes and structures, clearly identifying the roles and responsibilities of different bodies involved in the implementation, monitoring, control, and audit of the plan, as well as for their interactions. The National Implementation and Coordination Authority is responsible for the preparation and transmission of applications for payment of financial support, the management declaration and the summary of audits. The audit actors, their relationships and their administrative capacity are also explained. Management verifications performed by implementing bodies are not only checking the absence of serious irregularities but also the fulfilment of milestones and targets. Arrangements and mechanisms to collect and to ensure access to data of final recipients, contractors, sub-contractors and beneficial owners are explained and the recordkeeping obligation provided for in Article 22(2), points (d) and (f), of Regulation (EU) 2021/241 is assigned to implementing bodies and final recipients.
- (22) An additional milestone on audit and control should be introduced. The milestone requires the adoption of a revised methodology for the management of corruption risks in Slovakia to be applicable to all bodies implementing the Recovery and Resilience Facility. The milestone also requires the adoption of a procedure of supervision by the National Implementation and Coordination Authority of the implementation of the methodology for the management of corruption risks. The milestone should be fulfilled at the latest by the time of the sixth request for payment to the Commission.

Any other assessment criteria

- (23) The Commission considers that the amendments put forward by Slovakia do not affect the positive assessment of the RRP set out in the Council Implementing Decision ST 10156/21 of 13 July 2021 regarding the relevance, effectiveness, efficiency and

⁵ Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget (OJ L 433 I, 22.12.2020, p. 1).

coherence of the RRP against the assessment criteria laid down in Article 19(3), points (c), (g), (h), (j), and (k) of Regulation (EU) 2021/241.

Measures supporting investment operations contributing to the objectives of the Strategic Technologies for Europe Platform (STEP)

- (24) In accordance with Article 4(4) of the Regulation (EU) 2024/795, Slovakia considered as a matter of priority projects that have been awarded a Sovereignty Seal pursuant to Article 4(1) of the Regulation (EU) 2024/795. However, Slovakia considered that no project having been awarded a Sovereignty Seal was to be included in the amended RRP.

Positive assessment

- (25) 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

- (26) The estimated total costs of Slovakia's amended RRP is EUR 6 408 465 020. As the amount of the estimated total costs of the amended RRP is higher than the updated maximum financial contribution available for Slovakia, the financial contribution determined in accordance with Article 4(a) of Regulation (EU) 2021/1755 of the European Parliament and of the Council, Article 20(4) and 21a(6) of Regulation (EU) 2021/241 allocated for Slovakia amended RRP should be equal to the total amount of the maximum financial contribution available for Slovakia's amended RRP. This amount is equal to EUR 6 408 465 019.
- (27) Council Implementing Decision of 13 July 2021 on the approval of the assessment of the RRP for Slovakia 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 Slovakia 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 modified RRP of Slovakia 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 the Slovak Republic.

Done at Brussels,

For the Council
The President