



Council of the  
European Union

Brussels, 17 June 2025  
(OR. en)

9588/25

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**Interinstitutional File:**  
**2025/0146(NLE)**

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**ECOFIN 634**

**UEM 183**

**FIN 596**

**ECB**

**EIB**

## **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL IMPLEMENTING DECISION amending the Implementing Decision of 28 July 2021 on the approval of the assessment of the recovery and resilience plan for Lithuania

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## **COUNCIL IMPLEMENTING DECISION**

**of ...**

**amending the Implementing Decision of 28 July 2021  
on the approval of the assessment of the recovery and resilience plan for Lithuania**

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 Lithuania on 14 May 2021, the Commission proposed its positive assessment to the Council. On 28 July 2021, the Council approved the positive assessment by means of an implementing decision ('the Council Implementing Decision of 28 July 2021')<sup>2</sup>. The Council Implementing Decision of 28 July 2021 was amended by Council implementing decisions of 9 November 2023<sup>3</sup> and 8 October 2024<sup>4</sup>.
- (2) On 29 November 2024, Lithuania made a reasoned request to the Commission to make a proposal to amend the Council Implementing Decision of 28 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, Lithuania has submitted an amended RRP.

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

- (3) The amendments to the RRP submitted by Lithuania because of objective circumstances concern 52 measures or sub-measures.

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<sup>2</sup> See documents ST 10477/21 and ST 10477/21 ADD 1 at <http://register.consilium.europa.eu>.

<sup>3</sup> See documents ST 14637/23, ST 14637/23 COR 1 and ST 14637/23 ADD 1 at <http://register.consilium.europa.eu>.

<sup>4</sup> See documents ST 13498/24 and ST 13498/24 ADD 1 at <http://register.consilium.europa.eu>.

- (4) Lithuania has explained that 15 measures or sub-measures are partially no longer achievable because of changed market demand. This concerns targets 32 and 33 under sub-measure B.1.2.1 (Support for the purchase of clean vehicles by the public sector and business) under component 2 (Green transformation of Lithuania); targets 34, 35 and 36 under sub-measure B.1.2.2 (Support for the purchase of zero-emission public transport vehicles) under component 2 (Green transformation of Lithuania); targets 38, 39, 40, 41, 42 and 43 under sub-measure B.1.2.3 (Installation of vehicle charging/alternative fuel filling infrastructure) under component 2 (Green transformation of Lithuania); targets 45 and 47 under sub-measure B.1.2.4 (Support to develop RES fuels sector (biomethane gas, second generation liquid biofuels for transport, and green hydrogen)) under component 2 (Green transformation of Lithuania); target 52 under sub-measure B.1.3.3 (Promoting the supply of construction products and services that speed up the renovation of buildings) under component 2 (Green transformation of Lithuania); targets 55 and 56 under measure B.1.4 (Maintaining and increasing GHG absorption capacity) under component 2 (Green transformation of Lithuania); targets 65, 66 and 67 under measure C.1.2 (Ensuring the effectiveness of data management and open data) under component 3 (Digital transformation for growth); target 81 under sub-measure C.1.4.4 (Financial instruments for business creation and digital innovation) under component 3 (Digital transformation for growth); target 90 under sub-measure C.1.5.3 (Innovation in mobility) under component 3 (Digital transformation for growth); milestone 98 under sub-measure D.1.1.4 (Strengthening the competences of pedagogical staff) under component 4 (Quality and accessible education for the entire life-cycle);

target 123 under sub-measure E.1.1.2 (Quality higher education and strong higher education institutions) under component 5 (Higher education, a coherent framework for stimulating research and innovation and high value-added business); sub-measure E.1.1.3 (Strengthening the international competitiveness of higher education institutions) under component 5 (Higher education, a coherent framework for stimulating research and innovation and high value-added business); target 135 and target 136 under sub-measure E.1.3.3 (Encouraging science and business to participate in the EU research and innovation programme Horizon Europe and other international funding programmes) under component 5 (Higher education, a coherent framework for stimulating research and innovation and high value-added business); targets 202 and 203 under sub-measure H.1.3.2 (Support for the construction of RES plants (solar power)) under component 8 (REPowerEU); and measure H.3.1 (Support for RES plants (solar and wind onshore)) under component 8 (REPowerEU). On this basis, Lithuania has requested that those measures or sub-measures, milestones and targets be amended. Furthermore, Lithuania has requested that target 31 under sub-measure B.1.2.1 (Support for the purchase of clean vehicles by the public sector and business) under component 2 (Green transformation of Lithuania) be removed. Furthermore, Lithuania has requested that target 32a and milestone 32b under sub-measure B.1.2.1 (Support for the purchase of clean vehicles by the public sector and business) under component 2 (Green transformation of Lithuania) be added. The Council Implementing Decision of 28 July 2021 should be amended accordingly.

- (5) Lithuania has explained that four measures or sub-measures are no longer achievable, because of a cost increase resulting from high inflation. This concerns target 19 under sub-measure A.1.3.2 (Modernisation of infectious disease cluster centres) under component 1 (A resilient and future-proof health system); targets 100 and 101 under sub-measure D.1.1.5 (Development of the STEAM ecosystem) under component 4 (Quality and accessible education for the entire life-cycle); target 117 and 118 under sub-measure D.1.4.3 (Apprenticeship and work-based learning) under component 4 (Quality and accessible education for the entire life-cycle); and targets 190 and 191 under sub-measure G.1.2.2 (Increasing the scope and diversity of employment support measures, contributing to the goals of digital and green transformation and promoting the circular economy) under component 7 (More opportunities for everyone to actively build national well-being). On this basis, Lithuania has requested that those milestones and targets be amended. The Council Implementing Decision of 28 July 2021 should be amended accordingly.
- (6) Lithuania has explained that two measures or sub-measures are no longer achievable, because of delays on the side of contractors or suppliers outside the control of national authorities. This concerns milestone 148a under sub-measure F.1.3.1 (Improvements to the budgetary framework) under component 6 (Efficient public sector and preconditions to recover after the pandemic) and milestone 195 under sub-measure H.1.1.1 (Update and testing in practice of building renovation packages and standards) under component 8 (REPowerEU). On this basis, Lithuania has requested that those milestones be amended. The Council Implementing Decision of 28 July 2021 should be amended accordingly.

- (7) Lithuania has explained that 14 measures or sub-measures have been amended to implement better alternatives in order to achieve the original ambition of the measure. This concerns: target 20 under sub-measure A.1.3.3 (Modernisation of emergency, resuscitation or intensive care medical units in regional hospitals) under component 1 (A resilient and future-proof health system); target 25 and 26 under sub-measure B.1.1.2 (Support for the construction of onshore RES plants (solar and wind power) and individual storage facilities) under component 2 (Green transformation of Lithuania); targets 53 and 54 under sub-measure B.1.3.4 (Support for faster renovation of buildings in line with up-to-date building renovation standards) under component 2 (Green transformation of Lithuania); milestone 59, 62 and 63 under sub-measure C.1.1 (Transformation of public information technology governance – Development of state cybersecurity) under component 3 (Digital transformation for growth); sub-measure C.1.5.2 (Further development of very high capacity networks) under component 3 (Digital transformation for growth); targets 119 and 120 under sub-measure D.1.4.5 (More opportunities to acquire profession for school pupils) under component 4 (Quality and accessible education for the entire life-cycle); sub-measure E.1.1.1 (Improving higher education funding and student admission systems) under component 5 (Higher education, a coherent framework for stimulating research and innovation and high value-added business); target 131 under sub-measure E.1.2.3 (Fostering the development of the start-up ecosystem) under component 5 (Higher education, a coherent framework for stimulating research and innovation and high value-added business);

milestone 143 under sub-measure F.1.2.1 (The abolition of tax exemptions and special tax regimes that are inefficient, no longer reflect state priorities or do not comply with the Green Deal) under component 6 (Efficient public sector and preconditions to recover after the pandemic); target 159 under sub-measure F.1.4.4 (Financially literate future taxpayers) under component 6 (Efficient public sector and preconditions to recover after the pandemic); milestone 170 under sub-measure F.1.6.5 (New data analysis tools and upgrading Customs' IT systems) under component 6 (Efficient public sector and preconditions to recover after the pandemic); milestone 181 under sub-measure G.1.1.1 (Study on the minimum income scheme and related changes to the legislation) under component 7 (More opportunities for everyone to actively build national well-being); milestone 183 under sub-measure G.1.1.2 (Additional measures to increase adequacy and sustainability of social benefits) under component 7 (More opportunities for everyone to actively build national well-being); and milestones 197 and 198 under measure H.1.2 (Promote the purchase of zero-emission inland waterway transport vehicles) under component 8 (REPowerEU). On this basis, Lithuania has requested that those milestones and targets be amended. The Council Implementing Decision of 28 July 2021 should be amended accordingly.



- (8) Lithuania has explained that 15 measures or sub-measures have been amended to implement better alternatives that allow the administrative burden to be reduced while still reaching the objectives of those measures. This concerns: target 4 under sub-measure A.1.1.4 (Establishment of a basic model for public health services) under component 1 (A resilient and future-proof health system); targets 8 and 9 under sub-measure A.1.1.8 (Creation of a representative collection of reference genome data within the health project ‘Genome Europe’) under component 1 (A resilient and future-proof health system); target 13a under sub-measure A.1.1.11 (Digitalisation of the healthcare sector) under component 1 (A resilient and future-proof health system); targets 16 and 17 under sub-measure A.1.2.2 (Increase of human resources and infrastructure capacity for the provision of long-term care services) under component 1 (A resilient and future-proof health system); milestone 48 under sub-measure B.1.3.1 (Update of building renovation packages and standards and creation of a methodology for the development of sustainable cities) under component 2 (Green transformation of Lithuania); milestone 58 under sub-measure B.1.5 (Towards a circular economy) under component 2 (Green transformation of Lithuania); target 79 under sub-measure C.1.4.3 (Production of digital education content and resources) under component 3 (Digital transformation for growth); measure C.1.5 (Step towards 5G) under component 3 (Digital transformation for growth); target 85 under sub-measure C.1.5.1 (5G roadmap) under component 3 (Digital transformation for growth); milestones 96 and 97, under sub-measure D.1.1.3 (Millennium School programme) under component 4 (Quality and accessible education for the entire life-cycle);

target 130 under sub-measure E.1.2.4 (Promoting the development of green innovation) under component 5 (Higher education, a coherent framework for stimulating research and innovation and high value-added business); measure E.3.1 (Loans to enterprises to develop green and high value-added technologies for industrial development) under component 5 (Higher education, a coherent framework for stimulating research and innovation and high value-added business); sub-measure F.1.2.2. (Further broadening of the tax base to sources that do not hamper economic growth) under component 6 (Efficient public sector and preconditions to recover after the pandemic); milestones 174 and 176 under sub-measure F.1.7.2 (Creation of a solution to enable international e-consignments) under component 6 (Efficient public sector and preconditions to recover after the pandemic); and target 196 under sub-measure H.1.1.2 (Support for faster renovation of buildings (scaled-up)) under component 8 (REPowerEU). On this basis, Lithuania has requested to remove unnecessary background information or procedural elements that do not contribute to the objectives of the measures, to clarify that certain elements relate to the objectives or the context of the measures, and to simplify descriptions of measures or sub-measures or milestones and targets that cause an unjustified administrative burden for reaching the objectives of the respective measures. Furthermore, Lithuania has requested that targets 12 and 13 under sub-measure A.1.1.11 (Digitalisation of the healthcare sector) under component 1 (A resilient and future-proof health system) be removed. The Council Implementing Decision of 28 July 2021 should be amended accordingly.

- (9) Lithuania has explained that milestone 172 under sub-measure F.1.6.6 (Improvement of staff competences of the State Tax Inspectorate and the Lithuanian Customs) under component 6 (Efficient public sector and preconditions to recover after the pandemic) is partially no longer achievable because of an increased workload in the customs administration due to sanctions imposed on Russia and Belarus. On this basis, Lithuania has requested that the implementation timeline for that milestone be extended. The Council Implementing Decision of 28 July 2021 should be amended accordingly.
- (10) Lithuania has explained that milestone 22 under sub-measure B.1.1.1 (Preparatory steps for the development of offshore wind infrastructure) under component 2 (Green transformation of Lithuania) is partially no longer achievable due to unexpectedly long cross-border consultations with the Republic of Latvia. On this basis, Lithuania has requested that that milestone be amended. The Council Implementing Decision of 28 July 2021 should be amended accordingly.
- (11) The Commission considers that the reasons put forward by Lithuania justify the amendments pursuant to Article 21(2) of Regulation (EU) 2021/241. The Council Implementing Decision of 28 July 2021 should be amended accordingly.

***Distribution of milestones and targets***

- (12) 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 Lithuania.

### *Correction of clerical errors*

- (13) Three clerical errors have been identified in the text of the Council Implementing Decision of 28 July 2021, affecting three targets under one component. The Council Implementing Decision of 28 July 2021 should be amended to correct those clerical errors, which do not reflect the content of the RRP submitted to the Commission on 14 May 2021, as agreed between the Commission and Lithuania. Those clerical errors relate to targets 102, 103 and 104 under measure D.1.1.6 (Modern General Education – Background to Competitive Competences) under component 4 (Quality and accessible education for the entire life-cycle). Those corrections do not affect the implementation of the measures concerned.

### *Commission's assessment*

- (14) The Commission considers that the amendments put forward by Lithuania do not affect the positive assessment of the RRP set out in the Council Implementing Decision of 28 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.

### ***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 37,4 % 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 amended RRP is consistent with the information included in the National Energy and Climate Plan 2021-2030.
- (16) The measures removed or reduced do not significantly impact the overall ambition of the RRP regarding the green transition. The climate contribution of the amended RRP remains at 37,4 % compared to the amended assessment.

### ***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 22,1 % 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 measures removed or reduced do not significantly impact the overall ambition of the RRP regarding the digital transition. The digital contribution of the amended RRP has decreased from 23,3 % to 22,1 % compared to the amended assessment.

### ***Positive assessment***

- (19) 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***

- (20) The estimated total cost of Lithuania's amended RRP is EUR 3 849 237 823. As the amount of the estimated total cost of the amended RRP is higher than the updated maximum financial contribution available to Lithuania, the total financial contribution determined in accordance with Article 20(4) and Article 21a(6) that is allocated to Lithuania's amended RRP should be equal to EUR 2 297 565 464. Therefore, the financial contribution made available to Lithuania remains unchanged.

- (21) The amount of the financial contribution for Lithuania should be determined in accordance with Article 20 of Regulation (EU) 2021/241. However, pursuant to Commission Implementing Decision of 6 May 2024 on the reduction of the amount of the first instalment of the non-repayable support for Lithuania, adopted in accordance with Article 24(8) of Regulation (EU) 2021/241, the financial contribution has been reduced by EUR 8 733 750 and Lithuania cannot request its disbursement from the Commission.

### ***Loans***

- (22) The loan support made available to Lithuania amounting to EUR 1 551 672 358 remains unchanged.
- (23) The Council Implementing Decision of 28 July 2021 should therefore be amended accordingly. For the sake of clarity, the Annex to the Council Implementing Decision of 28 July 2021 should be replaced entirely,

HAS ADOPTED THIS DECISION:

## *Article 1*

The Council Implementing Decision of 28 July 2021 on the approval of the assessment of the recovery and resilience plan for Lithuania 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 Lithuania 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 the additional milestones and targets related to the payment of the loan, 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 Republic of Lithuania.

Done at ..., ...

*For the Council*

*The President*

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