



Council of the  
European Union

Brussels, 17 June 2025  
(OR. en)

9586/25

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Interinstitutional File:  
2025/0141(NLE)

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ECOFIN 632  
UEM 181  
FIN 594

*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 Croatia

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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 Croatia**

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 Croatia on 8 July 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 on 8 December 2023<sup>3</sup>.
- (2) On 16 April 2025, Croatia 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, Croatia has submitted an amended RRP.

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

- (3) The amendments to the RRP submitted by Croatia because of objective circumstances concern 30 measures.

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<sup>2</sup> See documents ST 10687/21 and ST 10687/21 ADD 1 at <http://register.consilium.europa.eu>.

<sup>3</sup> See documents ST 15834/23, ST 15834/23 COR 1 and ST 15834/23 ADD 1 REV 1 at <http://register.consilium.europa.eu>.

- (4) Croatia has explained that two measures are partially or totally no longer achievable because of insufficient demand. This concerns target 35 of investment C1.1.2 R4-I1 (Support for Digital Innovation Hubs) under component 1.1 (Resilient, green and digital economy) and target 287 of reform C4.1 R1 (Development and implementation of new targeted active labour market policies for the purposes of green and digital transition of the labour market) under component 4.1 (Improving employment measures and the legal framework for a modern labour market and the economy of the future). On this basis, Croatia has requested that target 35 be removed and that target 287 be decreased. The Council Implementing Decision of 28 July 2021 should be amended accordingly.
- (5) Croatia has explained that four measures are partially or totally no longer achievable because of inflation, which has significantly increased the estimated costs of those measures. This concerns target 18 of investment C1.1.1 R4-I2 (Financial instrument for micro, small and medium-sized enterprises) and target 20 of investment C1.1.1 R4-I3 (Financial instrument for mid-cap and large enterprises) under component 1.1 (Resilient, green and digital economy); target 113 of investment C1.4 R3-I2 (Procurement/construction of passenger ships used for regular coastal transport) under component 1.4 (Development of a competitive, energy sustainable and efficient transport system); and target 227 of investment C2.5 R1-I4 (Design and implementation of the Zagreb Justice Square project to improve access to justice and efficiency of commercial procedures and administrative disputes) under component 2.5 (Modern justice fit for future challenges). On this basis, Croatia has requested that targets 18, 20 and 227 be decreased and that target 113 be removed. The Council Implementing Decision of 28 July 2021 should be amended accordingly.

- (6) Croatia has explained target 101 of investment C1.4 R2-I1 (Reconstruction of the existing and construction of second track of railway section Dugo Selo - Novska, sub-section Kutina - Novska (phase D)) under component 1.4 (Development of a competitive, energy sustainable and efficient transport system) is totally no longer achievable due to delays in preparing the project documentation by the contractor. On this basis, Croatia has requested that target 101 be removed. The Council Implementing Decision of 28 July 2021 should be amended accordingly.
- (7) Croatia has explained that target 186 of investment C2.3 R3-I6 (Investment in State information infrastructure networks) under component 2.3 (Digital transition of society and public administration) is partially no longer achievable because of the unexpected delays during public procurement. On this basis, Croatia has requested that the implementation timeline of the target 186 be extended. The Council Implementing Decision of 28 July 2021 should be amended accordingly.
- (8) Croatia has explained that target 178 of investment C2.3 R2-I1 (Establishment of a central interoperability system) under component 2.3 (Digital transition of society and public administration) is partially no longer achievable due to two services, listed in Annex II to Regulation (EU) 2018/1724 of the European Parliament and of the Council<sup>4</sup>, which do not exist in Croatia and therefore have been removed. On this basis, Croatia has requested that target 178 be decreased. The Council Implementing Decision of 28 July 2021 should be amended accordingly.

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<sup>4</sup> Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295 21.11.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1724/oj>).

- (9) Croatia has explained that nine measures have been amended to implement better alternatives in order to achieve the original ambition of those measures. This concerns milestone 97 of investment C1.4 R1-I5 (Monitoring of Transport of Dangerous Goods by Road (e-ADR)) under component 1.4 (Development of a competitive, energy sustainable and efficient transport system); investment C.1.3 R2-I2 (Remediation programme for closed landfills and sites contaminated with hazardous waste) and investment C1.3 R1-I3 (Disaster risk reduction programme) under component 1.3 (Improving water management and waste management); target 190 of investment C2.3 R3-I8 (Creation of a digital mobile platform) and target 206 of investment C2.3 R4-I2 (Construction of passive electronic communications infrastructure) under component 2.3 (Digital transition of society and public administration); milestones 208 and 442 under reform C2.4 R2 (Improving corporate governance in state-owned enterprises of particular interest to the Republic of Croatia and in majority-owned enterprises of central government) under component 2.4 (Improving the management of State assets); target 264 under reform C2.9 R3 (Innovative Procurement) under component 2.9 (Strengthening the public procurement framework); target 280 of investment C3.2 R1-I2 (Strengthening institutional capacity of universities and research institutes for innovation) under component 3.2 (Boosting research and innovation capacity); and milestones 298 and 300 under reform C4.2 R1 (Increasing pension adequacy through continued pension reform) under component 4.2 (Improving the pension system through increased pension adequacy). On this basis, Croatia has requested that investments C1.3 R1-I3 and C.1.3 R2-I2, targets 190 and 264 and milestones 208, 298 and 300 be amended. Furthermore, Croatia has requested that milestone 442 be added, that Investment C3.2R1-I2 be removed, that target 280 be moved under Investment C3.2R1-I1, that the implementation timeline of milestone 97 be extended and that target 206 be decreased. The Council Implementing Decision of 28 July 2021 should be amended accordingly.

- (10) Croatia has explained that five measures have been amended to implement better alternatives that allow the administrative burden to be reduced while still achieving the objectives of those measures. This concerns targets 42, 43 and 376 of investment C1.2 R1-I1 (Revitalising, building and digitising the energy system and supporting infrastructure to decarbonise the energy sector) under component 1.2 (Energy transition for a sustainable economy); targets 85 and 89 of investment C1.3 R2-I1 (Waste disposal reduction programme) and reform C1.3 R2 (Implementation of sustainable waste management) under component 1.3 (Improving water management and waste management); targets 261 and 262 under reform C2.9 R2 (Strengthening the review system in public procurement) under component 2.9 (Strengthening the public procurement framework); and target 306 under reform C4.3 R1 (Transparency and adequacy of social benefits in the social protection system) under component 4.3 (Improving the social welfare system). On this basis, Croatia has requested that targets 42, 43, 376, 85, 89, 261 and 262 be amended. Furthermore, Croatia has requested that target 306 be removed. The Council Implementing Decision of 28 July 2021 should be amended accordingly.

- (11) Croatia has further requested to use the resources freed up by the removal of measures under Article 21 of Regulation (EU) 2021/241 in order to add two new measures and increase the level of implementation of five measures. This concerns investment C.1.3 R3-I1 (Further investments into the public sewage development programme) and investment C.1.3 R3-I2 (Further investments into the public water supply development programme); targets 440 and 441 of investment C1.3 R3-I3 (Further investment into the disaster risk reduction programme) under component 1.3 (Improving water management and waste management); target 204 of investment C2.3 R4-I1 (Implementation of projects under the National Framework Programme for the Development of Broadband Infrastructure in areas where there is insufficient commercial interest in investment); target 443 of investment C2.5 R1-I7 (Design and implementation of the Zagreb Justice Square project to improve access to justice and efficiency of commercial procedures and administrative disputes) under component 2.5 (Modern justice fit for future challenges); targets 278 and 279 of investment C3.2 R1-I1 (Development of a system of programme agreements for funding universities and research institutes focused on innovation, research and development) under component 3.2 (Boosting research and innovation capacity); and targets 354 and 355 of investment C6.1 R1-I1 (Energy renovation of buildings) under component 6.1 (Renovation of buildings). On this basis, Croatia has requested that targets 440, 441 and 443 be added. Furthermore, Croatia has requested that the level of required implementation of investments C1.3 R3-I1 and C1.3 R3-I2 and targets 204, 278, 279, 354 and 355 be increased. The Council Implementing Decision of 28 July 2021 should be amended accordingly.

- (12) The Commission considers that the reasons put forward by Croatia 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***

- (13) 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 Croatia.

### ***Correction of clerical errors***

- (14) One clerical error has been identified in the text of the Council Implementing Decision of 28 July 2021, affecting one target. The Council Implementing Decision of 28 July 2021 should be amended to correct that clerical error, which does not reflect the content of the RRP submitted to the Commission on 8 July 2021, as agreed between the Commission and Croatia. That clerical error relates to milestone 422 of investment C7.1 I3 (Increasing the capacity of the LNG terminal on the island of Krk and strengthening the gas infrastructure) under component C7.1 (Energy and sustainable transport (REPowerEU component)). That correction does not affect the implementation of the measure concerned.

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

- (15) 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***

- (16) 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 38,56 % of the amended RRP's total allocation and 62,63 % 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.
- (17) The measures removed or reduced do not impact the overall ambition of the amended RRP regarding the green transition. The measures of the amended RRP are still expected to have a lasting impact by accelerating the phase-out of fossil fuels towards a durable renewable energy system in Croatia. They are expected to reduce the greenhouse gas emissions and facilitate the uptake of renewable energy in Croatia and thus contribute to the attainment of the Union 2030 climate targets and the objective of the Union climate neutrality by 2050.

### ***Contribution to the digital transition***

- (18) 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 20,22 % of the amended RRP's total allocation calculated in accordance with the methodology set out in Annex VII to that Regulation.
- (19) The positive assessment regarding the contribution to the digital transition provided for in the Council Implementing Decision of 28 July 2021 remains valid. The amended RRP continues to significantly contribute to the digital transition, including by increasing digitalisation of the public administration, number of digital services for citizens and businesses as well as investments in e-health and digitalisation of transport sector.

### ***Costing***

- (20) 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 to the expected national economic and social impact.

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

- (21) In accordance with Article 4(4) of Regulation (EU) 2024/795 of the European Parliament and of the Council<sup>5</sup>, Croatia considered as priority projects those projects that have been awarded a Sovereignty Seal pursuant to Article 4(1) of that Regulation. However, Croatia considered that no project having been awarded a Sovereignty Seal was to be included in the amended RRP because the projects that have been awarded a Sovereignty Seal do not cover the areas that have been upscaled in the amended RRP.

***Positive assessment***

- (22) 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.

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<sup>5</sup> Regulation (EU) 2024/795 of the European Parliament and of the Council of 29 February 2024 establishing the Strategic Technologies for Europe Platform (STEP), and amending Directive 2003/87/EC and Regulations (EU) 2021/1058, (EU) 2021/1056, (EU) 2021/1057, (EU) No 1303/2013, (EU) No 223/2014, (EU) 2021/1060, (EU) 2021/523, (EU) 2021/695, (EU) 2021/697 and (EU) 2021/241 (OJ L, 2024/795, 29.2.2024, ELI: <http://data.europa.eu/eli/reg/2024/795/oj>).

### ***Financial contribution***

- (23) The estimated total cost of Croatia's amended RRP is EUR 10 040 701 600. As the amount of the estimated total cost of the amended RRP is higher than the maximum financial contribution available for Croatia, the financial contribution determined in accordance with Article 4a of Regulation (EU) 2021/1755 of the European Parliament and of the Council<sup>6</sup> and with Article 20(4) and Article 21a(6) of Regulation (EU) 2021/241 that is allocated for Croatia's amended RRP should be equal to EUR 5 786 544 628. Therefore, the financial contribution made available to Croatia remains unchanged.
- (24) The loan support made available to Croatia amounting to EUR 4 254 156 972 remains unchanged.
- (25) 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:

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<sup>6</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>).

## *Article 1*

The Council Implementing Decision of 28 July 2021 on the approval of the assessment of the recovery and resilience plan for Croatia 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 Croatia 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 Republic of Croatia.

Done at ..., ...

*For the Council*

*The President*

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