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P-002530/2025

Answer given by Mr Serafin
on behalf of the European Commission
(1.9.2025)

1. The elements described are too broad for the Commission to determine a link to a specific measure under the Spanish recovery and resilience plan. They may refer to target 31 under measure C2.I2 (Construction of social rented housing in energy-efficient buildings). However, this target is part of the ninth payment request and has not yet been assessed, nor has Spain submitted the related evidence. In any case, it is the responsibility of Member States to ensure they protect the financial interests of the Union (Article 22.1 of the Recovery and Resilience Facility (RRF) Regulation¹), including making corrections and, where necessary, taking legal action to recover misappropriated funds (Article 22.2.b of the RRF Regulation, with accompanying provisions in the RRF Financing Agreement).

2. There is no legal obligation for Member States to report irregularities related to the Recovery and Resilience Facility through the Irregularity Management System (IMS). However, all Member States have the option to use the IMS on a voluntary basis. So far, Spain has not reported possible irregularities related to this matter in the IMS, though it may still do so later in line with national procedures.

3. Protecting the EU's financial interests relies notably on national control systems and judicial authorities. They must collect data on final recipients of funds for audit purposes and act in cases of suspected fraud. The Commission cooperates with these authorities, can suspend payments, impose financial corrections, and recover disbursed funds. If a serious irregularity is detected and not rectified by the Member State, the Commission intervenes and cooperates with the European Anti-fraud Office and the European Public Prosecutor's Office.

¹ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility, OJ L 57, 18.2.2021.