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COMMISSION IMPLEMENTING DECISION

of 2.7.2021

amending Implementing Decision C(2014) 9982 approving certain elements of the operational programme "Operational Programme for the Implementation of the EU Cohesion Policy in the period 2014-2020" for support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund and the specific allocation for the Youth Employment Initiative under the Investment for growth and jobs goal in Slovenia

CCI 2014SI16MAOP001

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006¹, and in particular Article 96(10) thereof,

Having consulted the ESF Committee,

Whereas:

- (1) By Commission Implementing Decision C(2014) 9982, as last amended by Commission Implementing Decision C(2020) 4159, certain elements of the "Operational Programme for the Implementation of the EU Cohesion Policy in the period 2014-2020" for support from the European Regional Development Fund ('ERDF'), the Cohesion Fund, the European Social Fund ('ESF') and the specific allocation for the Youth Employment Initiative ('YEI') under the Investment for growth and jobs goal in Slovenia were approved.
- (2) On 17 June 2021 Slovenia submitted, through the electronic data exchange system of the Commission, a request for an amendment to this operational programme. The request was accompanied by a revised operational programme, in which Slovenia proposed an amendment to the elements of the operational programme referred to in points (a), (b)(i) to (v) and (d) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013, all subject to Implementing Decision C(2014) 9982.
- (3) The amendment to the operational programme consists, mainly, in allocating part of the REACT-EU resources made available to Slovenia as external assigned revenues in

¹ OJ L 347, 20.12.2013, p. 320.

accordance with Article 3(1) of Council Regulation (EU) 2020/2094² under the new thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy" and should cover the year 2021.

- (4) The amendment to the operational programme consists in the creation of a new priority axis 15 "Promoting crisis response in the frame of REACT-EU" to support with the ERDF REACT-EU allocation of EUR 240 073 030 the following measures: strengthening the resilience of health systems, green and digital transition, building resilience of old-age social care and long-term care services, while taking into account deinstitutionalisation, as well as the provision of working capital and investment support to enterprises.
- (5) The amendment to the operational programme consists, furthermore, in the creation of a new priority axis 16 "Promoting crisis response in the frame of REACT-EU" to support with the ESF REACT-EU allocation of EUR 13 205 000 the following measures: strengthening the resilience of health systems, green and digital transition, building resilience of old-age social care and long-term care services, while taking into account deinstitutionalisation, as well as support for job retention and youth employment.
- (6) The amendment to the operational programme consists, in addition, in the reallocation of EUR 22 592 150 from priority axis 4 "Sustainable consumption and production of energy and smart grids" to priority axis 7 "Infrastructure development and promotion of sustainable mobility", both supported by the Cohesion Fund, and the corresponding modification of output indicators. The amendment also consists in the inclusion of new actions to be supported under priority axes 5 "Climate change adaptation" and 9 "Social inclusion and reduction of poverty risks, active ageing and health", as well as the deletion of a non-performing specific objective under priority axis 6 "Improvement of the environment and biodiversity status".
- (7) The amendment finally consists in changes of output indicators on priority axes 9 and 10 "Knowledge, skills and lifelong learning to enhance employability", as well as in the inclusion of new output indicators addressing the effects of the COVID-19 outbreak within priority axes 1 "International competitiveness of research, innovation and technological development in line with smart specialisation for enhanced competitiveness and greening of the economy", 3 "Dynamic and competitive entrepreneurship for green economic growth", 8 "Promoting employment and supporting transnational labour mobility", 9 and 10.
- (8) In accordance with Article 30(1) and in accordance with the sixth subparagraph of Article 92b(9) of Regulation (EU) No 1303/2013, the request for the amendment to the operational programme is duly justified by the need to quickly deploy the REACT-EU resources for crisis repair in the context of the COVID-19 pandemic and its social consequences and to prepare a green, digital and resilient recovery of the economy within the current programming period. In addition, the request for the amendment is justified by the need to provide an effective and immediate response to the current public health crisis related to the COVID-19 outbreak, as well as by the need to ensure a better use of the available funding on certain priority axes. The request for the amendment to the operational programme sets out the expected impact of the changes

² Council Regulation (EU) 2020/2094 of 14 December 2020 establishing a European Union Recovery Instrument to support the recovery in the aftermath of the COVID-19 crisis (OJ L 433I, 22.12.2020, p. 23).

to the programme on fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy in accordance with the second subparagraph of Article 92b(8) of Regulation (EU) No 1303/2013, achieving the Union's strategy for smart, sustainable and inclusive growth and the specific objectives defined in the programme, taking account of Regulation (EU) No 1303/2013 and Regulations (EU) No 1300/2013³, (EU) No 1301/2013⁴ and (EU) No 1304/2013⁵ of the European Parliament and of the Council, as well as of the horizontal principles referred to in Articles 5, 7 and 8 of Regulation (EU) No 1303/2013.

- (9) In accordance with point (e) of Article 110(2) of Regulation (EU) No 1303/2013, the monitoring committee by written procedure on 27 November 2020 examined and approved the proposal for the amendment to the operational programme, taking into account the text of the revised operational programme and its financing plan.
- (10) The Commission assessed the revised operational programme and did not make observations pursuant to the second sentence of the first subparagraph of Article 30(2) of Regulation (EU) No 1303/2013.
- (11) The amended elements of the revised operational programme subject to the Commission's approval under Article 96(10) of Regulation (EU) No 1303/2013 should therefore be approved.
- (12) For reasons of clarity, it is appropriate to indicate the date as of which expenditure that is not related to operations fostering crisis response capacities in the context of the COVID-19 outbreak or supported under the thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy" but becomes eligible as a result of the amendment to the operational programme is to be eligible in accordance with Article 65(9) of Regulation (EU) No 1303/2013.
- (13) Implementing Decision C(2014) 9982 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision C(2014) 9982 is amended as follows:

1. in Article 1, the introductory sentence is replaced by the following:

"The following elements of the operational programme "Operational Programme for the Implementation of the EU Cohesion Policy in the period 2014-2020" for joint support from the ERDF, the Cohesion Fund, the ESF and the specific allocation for the YEI under the Investment for growth and jobs goal in Slovenia for the period from 1 January 2014 to 31 December 2020 and benefitting from the REACT-EU resources for 2021, submitted in its final version on 11 December 2014, as last

³ Regulation (EU) No 1300/2013 of the European Parliament and of the Council of 17 December 2013 on the Cohesion Fund and repealing Council Regulation (EC) No 1084/2006 (OJ L 347, 20.12.2013, p. 281).

⁴ Regulation (EU) No 1301/2013 of the European Parliament and of the Council of 17 December 2013 on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No 1080/2006 (OJ L 347, 20.12.2013, p. 289).

⁵ Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006 (OJ L 347, 20.12.2013, p. 470).

amended by the revised operational programme submitted in its final version on 17 June 2021, are hereby approved:";

2. Article 2 is replaced by the following:

"Article 2

The following priority axes shall be supported by the operational programme:

- (a) Priority axis 1 "International competitiveness of research, innovation and technological development in line with smart specialisation for enhanced competitiveness and greening of the economy" from the ERDF;
- (b) Priority axis 2 "Enhancing access to, and use and quality of, ICT" from the ERDF;
- (c) Priority axis 3 "Dynamic and competitive entrepreneurship for green economic growth" from the ERDF;
- (d) Priority axis 4 "Sustainable consumption and production of energy and smart grids" from the ERDF and the Cohesion Fund;
- (e) Priority axis 5 "Climate change adaptation" from the ERDF and the Cohesion Fund;
- (f) Priority axis 6 "Improvement of the environment and biodiversity status" from the ERDF and the Cohesion Fund;
- (g) Priority axis 7 "Infrastructure development and promotion of sustainable mobility" from the ERDF and the Cohesion Fund;
- (h) Priority axis 8 "Promoting employment and supporting transnational labour mobility" from the ESF and the specific allocation for the YEI;
- (i) Priority axis 9 "Social inclusion and reduction of poverty risks, active ageing and health" from the ERDF and the ESF;
- (j) Priority axis 10 "Knowledge, skills and lifelong learning to enhance employability" from the ERDF and the ESF;
- (k) Priority axis 11 "Rule of law, enhancing institutional capacity, efficient public administration, support to the development of NGOs and capacity building of social partners" from the ESF;
- (l) Priority axis 12 "Technical assistance" from the Cohesion Fund;
- (m) Priority axis 13 "Technical assistance" from the ERDF;
- (n) Priority axis 14 "Technical assistance" from the ESF;
- (o) Priority axis 15 "Promoting crisis response in the frame of REACT-EU" from the ERDF REACT-EU;
- (p) Priority axis 16 "Promoting crisis response in the frame of REACT-EU" from the ESF REACT-EU.";

3. in Article 4, paragraph 2 is replaced by the following:

"2. The total financial appropriation for the operational programme is set at EUR 3 321 202 955, to be financed from:

(a) the following specific budget lines in accordance with the nomenclature of the General Budget of the European Union for 2014:

13 03 60: EUR 907 392 844 (ERDF – Less developed regions);

13 03 62: EUR 509 292 519 (ERDF – More developed regions);

13 04 60: EUR 914 046 895 (Cohesion Fund);

04 02 60: EUR 379 473 557 (ESF – Less developed regions);

04 02 62: EUR 339 296 038 (ESF – More developed regions);

04 02 64: EUR 18 423 072 (specific allocation for the YEI);

(b) the following REACT-EU resources made available to Slovenia in accordance with Article 3(1) of Regulation (EU) 2020/2094 on the following specific budget lines in accordance with the nomenclature of the General Budget of the European Union for 2021:

05 02 05 01: EUR 240 073 030 (ERDF REACT-EU);

07 02 05 01: EUR 13 205 000 (ESF REACT-EU).";

4. Annex I is replaced by the text set out in Annex I to this Decision;
5. Annex II is replaced by the text set out in Annex II to this Decision.

Article 2

Expenditure that is not related to operations fostering crisis response capacities in the context of the COVID-19 outbreak or supported under the thematic objective "Fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy" but becomes eligible as a result of the amendment to the operational programme "Operational Programme for the Implementation of the EU Cohesion Policy in the period 2014-2020" approved by this Decision is eligible from 17 June 2021.

Article 3

This Decision is addressed to the Republic of Slovenia.

Done at Brussels, 2.7.2021

For the Commission
Margrethe VESTAGER
Executive Vice-President

