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COMMISSION IMPLEMENTING DECISION

of 16.12.2022

amending Implementing Decision C(2014) 10017 approving certain elements of the operational programme “Competitiveness and Internationalisation” for support from the European Regional Development Fund, the European Social Fund and the Cohesion Fund under the Investment for growth and jobs goal in Portugal

CCI 2014PT16M3OP001

(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) 10017, as last amended by Commission Implementing Decision C(2021) 4849, certain elements of the operational programme “Competitiveness and Internationalisation” for support from the European Regional Development Fund (‘ERDF’), the European Social Fund (‘ESF’) and the Cohesion Fund under the Investment for growth and jobs goal in Portugal were approved.
- (2) On 2 December 2022 Portugal 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 Portugal proposed an amendment to the elements of the operational programme referred to in points (a), (b)(i) to (iv), and (d), of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013, all subject to Implementing Decision C(2014) 10017.
- (3) The amendment to the operational programme consists mainly in allocating part of the REACT-EU resources made available to Portugal as external assigned revenues in accordance with Article 3(1) of Council Regulation (EU) 2020/2094² under the thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic

¹ OJ L 347, 20.12.2013, p. 320.

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).

and its social consequences and preparing a green, digital and resilient recovery of the economy” and should cover the year 2022. The REACT-EU resources will be allocated to priority axes 7 “REACT-EU ERDF (TO13)” and 8 “REACT-EU ESF (TO13)”.

- (4) The amendment to the operational programme also consists in the introduction of a new category of expenditure within priority axis 8 through the inclusion of a new specific objective 6 “Cohesion Action in favour of Refugees in Europe”, which is dedicated to operations addressing the migratory challenges as a result of the military aggression by the Russian Federation against Ukraine.
- (5) The amendment to the operational programme concerning the REACT-EU resources consists, in addition, in the introduction of a new category of expenditure within priority axis 7, with the aim of sustaining investments supporting climate transition, as well as in the subsequent modification of existing result and output indicator targets and in the introduction of relevant new indicators.
- (6) In accordance with Article 30(1) and 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, as well as by the need to urgently address the migratory challenges resulting from the military aggression by the Russian Federation and to mitigate their impact on the recovery of the Union’s economy after the COVID-19 crisis. The modification is also justified by the need to adapt the target values of the indicators affected by the allocation of REACT-EU resources. The request for the amendment to the operational programme sets out the expected impact of the changes to the programme on addressing the migratory challenges as a result of the military aggression by the Russian Federation, in accordance with Article 98(4) of Regulation (EU) No 1303/2013, and 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.
- (7) In accordance with point (e) of Article 110(2) of Regulation (EU) No 1303/2013, the monitoring committee by written procedure on 25 November 2022 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.

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).

- (8) 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.
- (9) 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.
- (10) Implementing Decision C(2014) 10017 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision C(2014) 10017 is amended as follows:

1. In Article 1, the introductory sentence is replaced by the following:
“The following elements of the operational programme “Competitiveness and Internationalisation” for joint support from the ERDF, the ESF and the Cohesion Fund under the Investment for growth and jobs goal in Portugal for the period from 1 January 2014 to 31 December 2020 and benefitting from the REACT-EU resources for 2021 and 2022, submitted in its final version on 10 December 2014, as last amended by the revised operational programme submitted in its final version on 2 December 2022, are hereby approved.”;
2. in Article 4, paragraph 2 is replaced by the following:
“2. The total financial appropriation for the operational programme is set at EUR 6 308 131 262, 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 3 435 207 181 (ERDF – Less developed regions);
13 04 60: EUR 578 308 060 (Cohesion Fund);
04 02 60: EUR 369 723 228 (ESF – Less developed regions);
(b) the following REACT-EU resources made available to Portugal 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 2022:
05 02 05 01: EUR 1 548 892 793 (ERDF REACT-EU);
07 02 05 01: EUR 376 000 000 (ESF REACT-EU).”;
3. Annex I is replaced by the text set out in Annex I to this Decision;
4. Annex II is replaced by the text set out in Annex II to this Decision.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 16.12.2022

For the Commission

Elisa FERREIRA

Member of the Commission

