



Brussels, 26.7.2022
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COMMISSION IMPLEMENTING DECISION

of 26.7.2022

amending Implementing Decision C(2015) 887 approving certain elements of the operational programme "Regional Operational Programme of Lubelskie Voivodeship for 2014-2020" for support from the European Regional Development Fund and the European Social Fund under the Investment for growth and jobs goal for the Lubelskie region in Poland

CCI 2014PL16M2OP003

(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(2015) 887, as last amended by Commission Implementing Decision C(2022) 9739, certain elements of the operational programme "Regional Operational Programme of Lubelskie Voivodeship for 2014-2020" for support from the European Regional Development Fund ('ERDF') and the European Social Fund ('ESF') under the Investment for growth and jobs goal for the Lubelskie region in Poland were approved.
- (2) On 12 July 2022 Poland 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 Poland proposed an amendment to the elements of the operational programme referred to in points (a), (b)(ii) to (v) and (d) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013, all subject to Implementing Decision C(2015) 887.
- (3) The amendment to the operational programme consists, firstly, in allocating the REACT-EU resources made available to Poland as external assigned revenues in accordance with Article 3(1) of Council Regulation (EU) 2020/2094² under the

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).

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 2022. REACT-EU resources are allocated to priority axis 15 "REACT-EU". The additional financial allocation from the REACT-EU resources under priority axis 15 is dedicated to interventions in energy efficiency.

- (4) The amendment to the operational programme consists, secondly, in the reallocation of financial resources between the priority axes, without a change in the allocation by Funds and by category of region, by reducing the financial allocation of the ERDF priority axes 1 "Research and innovation", 2 "Digital Lubelskie", 3 "Competitiveness of enterprises", 5 "Energy efficiency and low-carbon economy", 6 "Environmental protection and resource efficiency", 7 "Protection of cultural and natural heritage" and 8 "Regional mobility and green transport" and reallocating them to ERDF priority axes 4 "Environment friendly energy" and 13 "Social infrastructure" and by reducing the financial allocation of the ESF priority axes 9 "Labour market", 10 "Adaptation of enterprises and employees to change" and 12 "Education, qualifications and competences" and relocating them to the ESF priority axis 11 "Social inclusion".
- (5) Thirdly, the amendment concerns the introduction of new actions, new types of beneficiaries, new guiding principles for the selection of operations in priority axes 9, 10, 11, 12 and 13 related to measures dedicated to refugees fleeing the military aggression by the Russian Federation against Ukraine.
- (6) Finally, the target values of the indicators, including the performance framework indicators, are modified accordingly.
- (7) 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. It is further justified 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 and to strengthen measures in energy efficiency and social inclusion. 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, Regulations (EU) No 1301/2013³ and (EU) No 1304/2013⁴ 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.

³ 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).

⁴ 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) In accordance with point (e) of Article 110(2) of Regulation (EU) No 1303/2013, the monitoring committee, by written procedure on 7 July 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.
- (9) 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.
- (10) 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.
- (11) Implementing Decision C(2015) 887 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision C(2015) 887 is amended as follows:

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

"The following elements of the operational programme "Regional Operational Programme of Lubelskie Voivodeship for 2014-2020" for joint support from the ERDF and the ESF under the Investment for growth and jobs goal for the Lubelskie region in Poland and benefitting from the REACT-EU resources for 2021 and 2022, submitted in its final version on 19 December 2014, as last amended by the revised operational programme submitted in its final version on 12 July 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 2 261 941 379, 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 1 603 400 406 (ERDF – Less developed regions);
04 02 60: EUR 627 557 768 (ESF – Less developed regions);
 - (b) the following REACT-EU resources made available to Poland in accordance with Article 3(1) of Regulation (EU) 2020/2094 on the following specific budget line in accordance with the nomenclature of the General Budget of the European Union for 2022:

05 02 05 01: EUR 30 983 205 (ERDF 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 Republic of Poland.

Done at Brussels, 26.7.2022

For the Commission

Elisa FERREIRA

Member of the Commission

