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**COMMISSION IMPLEMENTING DECISION**

**of 30.6.2021**

**amending Implementing Decision C(2014) 8505 approving certain elements of the operational programme "Growth and Employment" 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 Latvia**

**CCI 2014LV16MAOP001**

(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 1083/2006<sup>1</sup>, and in particular Article 96(10) thereof,

Having consulted the ESF Committee,

Whereas:

- (1) By Commission Implementing Decision C(2014) 8505, as last amended by Commission Implementing Decision C(2020) 5101, certain elements of the operational programme "Growth and Employment" 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 Latvia were approved.
- (2) On 16 June 2021 Latvia 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 Latvia 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) 8505.
- (3) The amendment to the operational programme consists mainly in allocating the REACT-EU resources made available to Latvia as external assigned revenues in accordance with Article 3(1) of Council Regulation (EU) 2020/2094<sup>2</sup> under the new

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<sup>1</sup> OJ L 347, 20.12.2013, p. 320.

<sup>2</sup> 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 2021.

- (4) The amendment to the operational programme consists, in addition, in the creation of two new priority axes 13 "Measures to mitigate the effects of the COVID-19 pandemic (ERDF)" and 14 "Measures to mitigate the effects of the COVID-19 pandemic (ESF)", introduced to employ REACT-EU resources. The REACT-EU resources are directed for investments in research, including development of new COVID-19 related products, for assistance to companies via support to the training activities and financial instruments, for support to the creative cultural industries to digitalise and develop products, for investments in resilience of health-care infrastructure and personnel, for investments in energy efficiency in housing and public infrastructure and for the circular economy.
- (5) The amendment to the operational programme consists, furthermore, in the transfer of ERDF resources from priority axis 1 "Research, technological development and innovation" to priority axis 3 "Competitiveness of small and medium-sized enterprises", the transfer of ERDF resources from priority axis 4 "Transition to a low-carbon economy in all sectors" to priority axis 2 "ICT accessibility, e-governance and services", the transfer of Cohesion Fund resources from priority axis 6 "Sustainable transport system" to priority axis 4 and the transfer of ESF resources from priority axis 7 "Employment and labour mobility" to priority axis 9 "Social inclusion and the fight against poverty".
- (6) Finally, the amendment to the operational programme also includes changes to indicators to reflect the transfer of resources and changes in the scope of activities.
- (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. Transfer of resources among priority axes is justified by necessary investments aiming to support businesses, improvements in transport infrastructure and to tackle unemployment. The request for the amendment to the operational programme sets out the expected impact of the changes 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, Regulations (EU) No 1300/2013<sup>3</sup>, (EU) No 1301/2013<sup>4</sup> and (EU) No 1304/2013<sup>5</sup> of the European Parliament and of the

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<sup>3</sup> 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).

<sup>4</sup> 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).

<sup>5</sup> 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).

Council, as well as of the horizontal principles referred to in Articles 5, 7 and 8 of Regulation (EU) No 1303/2013.

- (8) In accordance with point (e) of Article 110(2) of Regulation (EU) No 1303/2013, the monitoring committee, by written procedure on 17 May 2021, 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) 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.
- (12) Implementing Decision C(2014) 8505 should be amended accordingly,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Implementing Decision C(2014) 8505 is amended as follows:

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

"The following elements of the operational programme "Growth and Employment" for 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 Latvia 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 4 November 2014, as last amended by the revised operational programme submitted in its final version on 16 June 2021, are hereby approved:";
2. Article 2 is replaced by the following:

#### *"Article 2*

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

- (a) Priority axis 1 "Research, technological development and innovation" from the ERDF;
- (b) Priority axis 2 "ICT accessibility, e-government and services" from the ERDF;
- (c) Priority axis 3 "Competitiveness of SMEs" from the ERDF and the ESF;
- (d) Priority axis 4 "Making a transition to a low carbon economy in all sectors" from the ERDF and the Cohesion Fund;

- (e) Priority axis 5 "Environmental protection and resource efficiency" from the ERDF and the Cohesion Fund;
  - (f) Priority axis 6 "Sustainable Transport System" from the ERDF and the Cohesion Fund;
  - (g) Priority axis 7 "Employment and labour mobility" from the ESF and the specific allocation for the YEI;
  - (h) Priority axis 8 "Education, skills and lifelong learning" from the ERDF and the ESF;
  - (i) Priority axis 9 "Social inclusion and combating poverty" from the ERDF and the ESF;
  - (j) Priority axis 10 "Technical assistance" from the ESF;
  - (k) Priority axis 11 "Technical assistance" from the ERDF;
  - (l) Priority axis 12 "Technical assistance" from the Cohesion Fund;
  - (m) Priority axis 13 "Measures to mitigate the effects of the COVID-19 pandemic (ERDF)" from the ERDF REACT-EU;
  - (n) Priority axis 14 "Measures to mitigate the effects of the COVID-19 pandemic (ESF)" 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 4 622 099 045, 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 2 465 883 158 (ERDF – Less developed regions);
- 13 04 60: EUR 1 246 634 592 (Cohesion Fund);
- 04 02 60: EUR 676 704 825 (ESF – Less developed regions);
- 04 02 64: EUR 29 010 639 (specific allocation for the YEI);
- (b) the following REACT-EU resources made available to Latvia 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 183 254 959 (ERDF REACT-EU);
- 07 02 05 01: EUR 20 610 872 (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 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 "Growth and Employment" approved by this Decision is eligible from 16 June 2021.

*Article 3*

This Decision is addressed to the Republic of Latvia.

Done at Brussels, 30.6.2021

*For the Commission*

*Elisa FERREIRA*

*Member of the Commission*

