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COMMISSION IMPLEMENTING DECISION

of 6.12.2023

amending Implementing Decision C(2015) 4823 approving certain elements of the operational programme “Large Infrastructure” for support from the European Regional Development Fund and the Cohesion Fund under the Investment for growth and jobs goal in Romania

CCI 2014RO16M1OP001

(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,

Whereas:

- (1) By Commission Implementing Decision C(2015)4823, as last amended by Commission Implementing Decision C(2023)6962, certain elements of the operational programme “Large Infrastructure” for support from European Regional Development Fund (‘ERDF’) and the Cohesion Fund under the Investment for growth and jobs goal in Romania were approved.
- (2) On 31 October 2023 Romania submitted, through the electronic data exchange system of the Commission, a request for an amendment to the operational programme. The request was accompanied by a revised operational programme, in which Romania proposed an amendment to the elements of the operational programme referred to in points (a), (b)(i) to (v) and d(ii) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013, all subject to Implementing Decision C(2015) 4823.
- (3) The amendment to the operational programme consists, firstly, in the transfer of part of the ERDF REACT-EU resources made available to Romania as external assigned revenues in accordance with Article 3(1) of Regulation (EU) 2020/2094² from priority axis 10 “Protecting population health in the context of the health crises caused by COVID-19, increasing energy efficiency and the use of renewable energy sources” to a new priority axis 12 “Supporting vulnerable households particularly affected by energy price hikes” dedicated to measures strictly necessary to address the energy

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).

crisis resulting from the impact of Russia's war of aggression against Ukraine and supporting vulnerable households to help them meet their energy consumption costs, in accordance with Article 25b(1) of Regulation (EU) No 1303/2013. Specific objectives, types of action, output and result indicators were introduced to the new priority axis.

- (4) The amendment to the operational programme also consists in the transfer of part of ERDF resources from priority axis 6 "Clean energy and energy efficiency in order to support a low carbon economy" to priority axes 4 "Environmental protection through measures to preserve biodiversity, air quality monitoring and remediation of historically contaminated sites" and 8 "Smart and sustainable transport system for electricity and natural gas". It consists as well in the transfer of a part of Cohesion Fund allocation from priority axes 1 "Improving mobility through the development of the TEN-T network and metro system", 7 "Energy efficiency at system level centralised heating in selected cities" and 11 "Measures to improve energy efficiency and boost the use of renewable energy" to priority axes 3 "Development of a multimodal, high quality, sustainable and efficient transport system" and 5 "Promoting climate change adaptation, risk prevention and management".
- (5) The amendment to the operational programme consists as well in updating programme indicators under all priority axes following the analysis of operations' implementation status.
- (6) Finally, the amendment to the operational programme consists of transferring operations related to the Solidarity Lane initiative from priority axis 2 "Development of a multimodal, high quality, sustainable and efficient transport system" to priority axis 1.
- (7) In accordance with Article 30(1) of Regulation (EU) No 1303/2013 and with the sixth subparagraph of Article 92b(9) and with Article 25b(4), 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 and the need to address the energy crisis resulting from the impact of Russia's war of aggression against Ukraine. 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 and 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 and (EU) No 1301/2013⁴ 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 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).

- (8) In accordance with point (e) of Article 110(2) of Regulation (EU) No 1303/2013, the monitoring committee by written procedure on 29 September 2023 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. Nevertheless, Romania provided supplementary information and submitted a modified version of the revised operational programme on 15 November 2023.
- (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) 4823 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision C(2015) 4823 is amended as follows:

1. in Article 1, the introductory sentence is replaced by the following:
“The following elements of the operational programme “Large Infrastructure” for joint support from the ERDF and the Cohesion Fund under the Investment for growth and jobs goal in Romania 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 15 June 2015, as last amended by the revised operational programme submitted in its final version on 15 November 2023 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 “Improving mobility through the development of the TEN-T network and metro system” from the Cohesion Fund;
- (b) Priority axis 2 “Development of a multimodal, high quality, sustainable and efficient transport system” from the ERDF;
- (c) Priority axis 3 “Environmental infrastructure development based on an efficient management of resources” from the Cohesion Fund;
- (d) Priority axis 4 “Environmental protection through measures to preserve biodiversity, air quality monitoring and remediation of historically contaminated sites” from the ERDF;
- (e) Priority axis 5 “Promoting climate change adaptation, risk prevention and management” from the Cohesion Fund;
- (f) Priority axis 6 “Clean energy and energy efficiency in order to support a low carbon economy” from the ERDF;
- (g) Priority axis 7 “Energy efficiency at system level centralised heating in selected cities” from the ERDF and the Cohesion Fund;

- (h) Priority axis 8 “Smart and sustainable transport system for electricity and natural gas” from the ERDF;
- (i) Priority axis 9 “Protecting population health in the context of the pandemic caused by SARS-CoV-2” from the ERDF CRII;
- (j) Priority axis 10 “Protecting population health in the context of the health crises caused by COVID-19, increasing energy efficiency and the use of renewable energy sources” from the ERDF REACT-EU;
- (k) Priority axis 11 “Measures to improve energy efficiency and stimulate the use of renewable energy” from the Cohesion Fund.”;
- (l) Priority axis 12 “Supporting vulnerable households particularly affected by energy price hikes” from the ERDF REACT-EU.”.

3. Annex II is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to Romania.

Done at Brussels, 6.12.2023

For the Commission

Elisa FERREIRA

Member of the Commission

