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NOTE

From:	Presidency
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing Regulation (EU) No 508/2014 of the European Parliament and of the Council (EMFF) - Partial General Approach

I. INTRODUCTION

1. On 13 June 2018, the Commission submitted the above proposal to the European Parliament and to the Council. This proposal was presented to the Agriculture and Fisheries Council on 18 June 2018.

2. The EMFF proposal must be seen in the context of the Commission's proposal for the multiannual financial framework for 2021-2027 (MFF)[1] and of the Commission's proposal laying down common provisions on the horizontal funds (CPR)[2].

[1] Proposal of the Commission for the Multiannual Financial Framework 2021-2027 (COM(2018) 321 final); (COM(2018) 322 final); (COM(2018) 323 final); (COM(2018) 324 final).

[2] Proposal for a Regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument, COM/2018/375 final - 2018/0196 (COD).

3. The EMFF aims to target funding from the Union budget to support the Common Fisheries Policy (CFP), the Union's integrated maritime policy, and the EU's international commitments in the field of ocean governance. According to the MFF Communication, the new EMFF, like the current one, will continue to constitute an important instrument to support the implementation of the objectives of the CFP; notably, a sustainable EU fisheries sector and support to coastal communities dependent on fisheries activities. It will also continue to be a valuable tool in promoting the blue economy in fisheries and aquaculture, thus supporting growth and the creation of jobs while safeguarding the marine environment.

4. The European Economic and Social Committee and the Committee of the Regions delivered their opinions on 12 December 2018 and 16 May 2018 respectively.

5. The European Parliament adopted its position at first reading on 4 April 2019[3].

6. The Council agreed on a partial General Approach on 18 June 2019[4]. This partial General Approach left aside all aspects related to the MPR (bracketed provisions) and CPR (Articles 54, 55 and 56) as well as Article 52 on delegated acts and result indicators (Articles 37, 48 and Annex I).

7. On 11 July 2019, the Presidency presented to the Working Party on Internal Fisheries Policy suggested lines for a Presidency compromise on the alignment to the CPR, the result indicators and the delegated acts.

8. This compromise was examined in the Working Party on Internal Fisheries Policy. On the basis of the discussions as well as written comments sent by delegations[5], several revised Presidency compromises[6] were examined in the Working Party on Internal Fisheries Policy at its meetings of 17 July 2019, 12 September 2019, 26 September 2019 and 3 October 2019. The final Presidency compromise received broad support at the Working Party of 3 October 2019.

[3] Report on the proposal for a regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing Regulation (EU) No 508/2014 of the European Parliament and of the Council, PE 625.439v03-00, A8-0176/2019.

[4] doc. 10297/19 ADD 1.

[5] WK 8213/2019 ADD 1-14, WK 8478/2019 ADD 1-11, WK 9418 ADD 1-6.

[6] WK 8478/2019, WK 9418/2019, WK 10216/2019,.

II. THE PRESIDENCY COMPROMISE FOR SOME REMAINING ISSUES OF A PARTIAL GENERAL APPROACH[7]

9. The main topics of the Presidency compromise concern the following points:

   a) The ceiling of the financial envelope that may be used by the Commission for technical assistance (Article 8(2)):

      The Commission proposed a ceiling of 1.7%. The Presidency, taking into account that a large number of delegations considered this ceiling unacceptable, proposes a ceiling of 1.25%. The Presidency compromise has the support of a large number of delegations. Several delegations, nevertheless, would have preferred to keep the ceiling at a maximum of 1.1%.

   b) Implementing and delegated acts (Article 37):

      The Commission proposed a delegated act to review or complement the indicators of Annex I and to establish a monitoring and evaluation framework. The Presidency proposes well circumscribed empowerments allowing the Commission to adopt implementing acts concerning the data the managing authority shall provide to the Commission and to adopt delegated acts for supplementing the core performance indicators. The Presidency compromise has received broad support from the Working Party.

   c) The indicators (Annex I):

      The Presidency compromise includes some modifications to the Commission's proposal to take into account some request of a majority of delegations. The Presidency compromise has gathered broad support from delegations.

10. Other issues of the Presidency compromise concern the reduction of administrative burden for beneficiaries and managing authorities as well as an alignment of the timelines for mid-term and retrospective evaluations with the timelines established in Article 40 of the CPR.

[7] Articles 8, 37, 37 new, 48, 48 new, 52, 54-56 and Annex I.

III. CONCLUSIONS

11. COREPER is invited:

- to endorse the Presidency’s compromise for a partial General Approach on the EMFF on Articles 8, 37, 37 new, 48, 48 new, 52, 54-56 and Annex I, as set out in ADD 1 to this note; and

- to invite the Council to agree on this partial General Approach on these provisions in order to complete the partial General Approach which was agreed in June 2019.