



Council of the
European Union

Brussels, 12 November 2019
(OR. en)

13998/19

LIMITE

PECHE 503

**Interinstitutional File:
2018/0210(COD)**

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing Regulation (EU) N° 508/2014 of the European Parliament and of the Council (EMFF) - Preparation of the trilogues

Delegations will find hereafter a 4-column document with the Presidency's suggested approach on Articles 4, 9, 10, 12new, 15, 37, 37new, 38, 48 and 48new for a mandate in view of upcoming trilogues.

The Presidency underlines that:

- where the European Parliament has not put forward an amendment, the Presidency will as a principle defend the partial Council's General Approach;
- for Annex I, II and IV, the Presidency suggests not to support any of the amendments introduced by the European Parliament and defend the partial Council's General Approach;
- recitals will need to be examined once an agreement has been reached on the related Articles, and are thus currently excluded from the suggested approach.

**European Maritime and Fisheries Fund and repealing Regulation (EU) No 508/2014
2018/0210(COD)**

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 4				
87	Article 4 Priorities	Article 4 Priorities	Article 4 Priorities	
Article 4, first paragraph, introductory part				
88	The EMFF shall contribute to the implementation of the CFP and of the maritime policy. It shall pursue the following priorities:	The EMFF EMFAF shall contribute to the implementation of the CFP and of the maritime policy. It shall pursue the following priorities:	The EMFF EMFAF shall contribute to the implementation of the CFP and of the maritime policy. It shall pursue the following priorities:	Support EP amendment - Identical provision
Article 4, first paragraph, point(1)				
89	(1) Fostering sustainable fisheries and the conservation of marine biological resources;	(1) Fostering sustainable fisheries and the <u>protection, restoration and</u> conservation of marine biological resources;	(1) Fostering sustainable fisheries and the conservation of marine aquatic biological resources;	Defend partial General Approach (PGA)

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
		AM 291/rev		
Article 4, first paragraph, point(1a)				
89 a		<u>1a Fostering sustainable aquaculture;</u> AM 85		No support to EP text.
Article 4, first paragraph, point(2)				
90	(2) Contributing to food security in the Union through competitive and sustainable aquaculture and markets;	(2) Contributing to food security in the Union through competitive and sustainable <u>sustainable and socially responsible</u> aquaculture, <u>fisheries</u> and markets; AM 291/rev	(2) Contributing to food security in the Union through competitive and sustainable Fostering sustainable aquaculture activities and processing and markeing of fisheries and aquaculture and marketsproducts; Typo - GA says markeing but it should be marketing	Defend PGA

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 4, first paragraph, point(3)				
91	(3) Enabling the growth of a sustainable blue economy and fostering prosperous coastal communities;	(3) Enabling the growth of a sustainable blue economy, <u>taking into account the ecological carrying capacity</u> , and fostering <u>prosperity and economic and social cohesion in</u> prosperous coastal, <u>island and inland</u> communities; AM 87	(3) Enabling the growth of a sustainable blue economy and fostering the development of fishing and aquaculture prosperous coastal communities in coastal and inland areas ;	Defend PGA but some flexibility to consider to include the term "islands"
Article 4, first paragraph, point(4)				
92	(4) Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans.	(4) Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans.	(4) Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans.	
Article 4, first paragraph, first paragraph				
93	Support under the EMFF shall contribute to the achievement of the environmental and climate change	Support under the EMFF <u>EMFAF</u> shall <u>also</u> contribute to the achievement of the environmental	Support under the EMFF <u>EMFAF</u> shall contribute to the achievement of the environmental and climate change	EP text redundant but some flexibility to explore how to address EP's concerns

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
	mitigation and adaptation objectives of the Union. That contribution shall be tracked in accordance with the methodology set out in Annex IV.	and climate change mitigation and adaptation objectives of the Union. That contribution shall be tracked in accordance with the methodology set out in Annex IV. <u><i>The pursuit of those objectives shall not result in an increase in fishing capacity.</i></u> AM 88 and 281	mitigation and adaptation objectives of the Union. That contribution shall be tracked in accordance with the methodology set out in Annex IV.	
Article 4a				
93 a		Article 4a <u><i>Outermost Regions</i></u>		No support to EP amendment
Article 4a(1)				
93 b		<u><i>1 All the provisions of this Regulation must take into account the specific constraints recognised in Article 349 of the Treaty on the</i></u>		No support to EP amendment

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
		<i>Functioning of the European Union.</i> AM 89		
TITLE I, CHAPTER III				
12 1	CHAPTER III Programming	CHAPTER III Programming	CHAPTER III Programming	
Article 9				
12 2	Article 9 Programming for support under shared management	Article 9 Programming for support under shared management	Article 9 Programming for support under shared management	
Article 9(1)				
12 3	1. In accordance with Article 16 of Regulation (EU) No [Regulation laying down Common Provisions], each Member State shall prepare a single programme to implement the priorities referred to in Article 4.	1. In accordance with Article 16 of Regulation (EU) No [Regulation laying down Common Provisions], each Member State shall prepare a single <i>national</i> programme <i>or regional operational programmes</i> to	1. In accordance with Article 16 of Regulation (EU) No [Regulation laying down Common Provisions], each Member State shall prepare a single programme ¹ to implement the priorities referred to in Article 4.	Some flexibility to consider EP's position, provided that it is compatible with the corresponding CPR provisions

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
		implement the priorities referred to in Article 4. AM 99	_____ 1. Germany shall explain in its Operational Programme how the conditions of Article 16 of the Common Provisions Regulation are met. The Commission should make a statement to confirm this view.	
Article 9(2)				
12 4	2. Support under Title II shall be organised along the areas of support set out in Annex II.	2. Support under Title II shall be organised along the areas of support set out in Annex II.	2. Support under Title II in pursuit of the policy objectives of Article 4 of Regulation (EU) No [Regulation laying down Common Provisions] shall be organised along the priorities and specific objectives as areas of support set out in Annex II.	
Article 9(3), introductory part				
12 5	3. In addition to the elements referred to in Article 17 of Regulation (EU) No [Regulation laying down	3. In addition to the elements referred to in Article 17 of Regulation (EU) No [Regulation laying down	3. In addition to the elements referred to in Article 17 of Regulation (EU) No [Regulation laying down	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
	Common Provisions], the programme shall include:	Common Provisions], the programme shall include:	Common Provisions], the programme shall include:	
Article 9(3), point(a)				
12 6	(a) an analysis of the situation in terms of strengths, weaknesses, opportunities and threats and the identification of the needs that require to be addressed in the relevant geographical area, including, where appropriate, sea basins covered by the programme;	(a) an analysis of the situation in terms of strengths, weaknesses, opportunities and threats and the identification of the needs that require to be addressed in the relevant geographical area, including, where appropriate, sea basins covered by the programme;	(a) an analysis of the situation in terms of strengths, weaknesses, opportunities and threats and the identification of the needs that require to be addressed in the relevant geographical area, including, where appropriate, sea basins covered by relevant for the programme;	
Article 9(3), point(b)				
12 7	(b) the action plan for small-scale coastal fishing referred to in Article 15;	(b) the action plan for small-scale coastal fishing referred to in Article 15;	deleted	
Article 9(3), point(c)				
12 8	(c) where applicable, the action plans for the outermost regions referred to	(c) where applicable, the action plans for the outermost regions referred to	(c) where applicable, the action plans for the outermost regions referred to	No support to EP text

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
	in paragraph 4.	in paragraph 4. <u>Article 29c;</u> AM 100	in paragraph 4. In the Council General Approach, appears as point (b).	
Article 9(3), point(ca)				
12 8a		<u>ca where appropriate, sea-basin action plans for subnational or regional authorities responsible for fisheries, shellfish and maritime affairs.</u> AM 101		No support to EP text
Article 9(3a), introductory part				
12 8b			3a While carrying out analysis of the strengths, weaknesses, opportunities, threats, and identification of needs the Member States shall take into account the specific needs of small-scale coastal fishing, as set out in Annex V of Regulation (EU) No [Regulation	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
			laying down Common Provisions]. In addition to the elements referred to in Article 17 of Regulation (EU) No [Regulation laying down Common Provisions], Member States may take into account for small-scale coastal fishing: <i>In the Council General Approach, appears as paragraph 4.</i>	
Article 9(3a), point(a)				
12 8c			a adjustment and management of fishing capacity;	
Article 9(3a), point(b)				
12 8d			b promotion of low-impact, climate resilient and low-carbon fishing practices that minimise damage to the marine environment;	
Article 9(3a), point(c)				

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
12 8e			c reinforcement of the value chain of the sector and promotion of marketing strategies;	
Article 9(3a), point(d)				
12 8f			d promotion of skills, knowledge, innovation and capacity building;	
Article 9(3a), point(e)				
12 8g			e improvement of health, safety and working conditions on board fishing vessels;	
Article 9(3a), point(f)				
12 8h			f increased compliance with data collection, traceability, monitoring, control and surveillance requirements;	
Article 9(3a), point(g)				
12 8i			g involvement in the participatory management of the maritime space,	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
			including Marine Protected Areas and Natura 2000 areas;	
Article 9(3a), point(h)				
12 8j			h diversification of activities in the broader sustainable blue economy;	
Article 9(3a), point(i)				
12 8k			i collective organisation and participation in the decision- making and advisory processes;	
Article 9(3a), point(j)				
12 8l			j the FAO voluntary guidelines for securing sustainable small-scale fisheries;	
Article 9(3a), point(k)				
12 8 m			k the regional plan of action for small-scale fisheries from the General Fisheries Commission for the Mediterranean.	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 9(4), introductory part				
12 9	4. Member States concerned shall prepare as part of their programme an action plan for each of their outermost regions referred to in Article 6(2), which shall set out:	deleted AM 102	4. Member States concerned shall prepare as part of their programme an action plan for each of their outermost regions referred to in Article 6(2), which shall set out: In the Council General Approach, appears as paragraph 5.	No support to EP deletion
Article 9(4), point(a)				
13 0	(a) a strategy for the sustainable exploitation of fisheries and the development of sustainable blue economy sectors;	deleted AM 102	(a) a strategy for the sustainable exploitation of fisheries and the development of sustainable blue economy sectors;	No support to EP deletion
Article 9(4), point(b), introductory part				
13 1	(b) a description of the main actions envisaged and the corresponding financial means, including:	deleted AM 102	(b) a description of the main actions envisaged and the corresponding financial means, including:	No support to EP deletion

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
	Article 9(4), point(b)(i)			
13 2	i) the structural support to the fishery and aquaculture sector under Title II;	deleted AM 102	i) the structural support to the fishery and aquaculture sector under Title II;	No support to EP deletion
	Article 9(4), point(b)(ii)			
13 3	ii) the compensation for additional costs referred to in Article 21;	deleted AM 102	ii) the compensation for additional costs referred to in Article 21;	No support to EP deletion
	Article 9(4), point(b)(iii)			
13 4	iii) any other investment in the sustainable blue economy necessary to achieve a sustainable coastal development.	deleted AM 102	iii) any other investment in the sustainable blue economy necessary to achieve a sustainable coastal development.	No support to EP deletion

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 9(5)				
13 5	5. The Commission shall develop an analysis for each sea basin indicating the common strengths and weaknesses of the sea basin with regard to the achievement of the objectives of the CFP, as referred to in Article 2 of Regulation (EU) No 1380/2013. Where applicable, this analysis shall take into account the existing sea basin and macro-regional strategies.	5. The Commission, <u>after obtaining the opinions of the relevant Advisory Councils</u> , shall develop an analysis for each sea basin indicating the common strengths and weaknesses of the sea basin with regard to the achievement of the objectives of the CFP, as referred to in Article 2 of Regulation (EU) No 1380/2013. Where applicable, and the <u>achievement of good environmental status, as referred to in Directive 2008/56/EC.</u> This analysis shall take into account the existing sea basin and macro-regional strategies. AM 103	5. The Commission shall develop an analysis for each sea basin indicating the common strengths and weaknesses of the sea basin with regard to the achievement of the objectives of the CFP, as referred to in Article 2 of Regulation (EU) No 1380/2013. Where applicable, this analysis shall take into account the existing sea basin and macro-regional strategies. <u>In the Council General Approach, appears as paragraph 6.</u>	Some flexibility to explore how to address EP's concerns

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
	Article 9(6), introductory part			
13 6	6. The Commission shall assess the programme in accordance with Article 18 of Regulation (EU) No [Regulation laying down Common Provisions]. In its assessment it shall take into account, in particular:	6. The Commission shall assess the programme in accordance with Article 18 of Regulation (EU) No [Regulation laying down Common Provisions]. In its assessment it shall take into account, in particular:	6. The Commission shall assess the programme in accordance with Article 18 of Regulation (EU) No [Regulation laying down Common Provisions]. In its assessment it shall take into account, in particular: <u>In the Council General Approach, appears as paragraph 7.</u>	
	Article 9(6), point(a)			
13 7	(a) the maximisation of the contribution of the programme to the priorities referred to in Article 4;	(a) the maximisation of the contribution of the programme to the priorities referred to in Article 4;	(a) the maximisation of the contribution of the programme to the priorities referred to in Article 4;	
	Article 9(6), point(b)			
13 8	(b) the balance between the fishing capacity of the fleets and the available fishing opportunities, as reported annually by Member States according to Article 22(2) of	(b) the balance between the fishing capacity of the fleets and the available fishing opportunities, as reported annually by Member States according to Article 22(2) of	(b) the balance between the fishing capacity of the fleets and the available fishing opportunities, as reported annually by Member States according to Article 22(2) of	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
	Regulation (EU) No 1380/2013;	Regulation (EU) No 1380/2013;	Regulation (EU) No 1380/2013;	
Article 9(6), point(ba)				
13 8a		<u><i>ba where applicable, the need to modernise or to renew the fleets;</i></u> AM 104		No support to EP position
Article 9(6), point(c)				
13 9	(c) where applicable, the multiannual management plans adopted under Articles 9 and 10 of Regulation (EU) No 1380/2013, the management plans adopted under Article 19 of Council Regulation (EC) No 1967/2006 and the recommendations from regional fisheries management organisations, where applicable to the Union;	(c) where applicable, the multiannual management plans adopted under Articles 9 and 10 of Regulation (EU) No 1380/2013, the management plans adopted under Article 19 of Council Regulation (EC) No 1967/2006 and the recommendations from regional fisheries management organisations, where applicable to the Union;	(c) where applicable, the multiannual management plans adopted under Articles 9 and 10 of Regulation (EU) No 1380/2013, the management plans adopted under Article 19 of Council Regulation (EC) No 1967/2006 and the recommendations from regional fisheries management organisations, where applicable to the Union;	
Article 9(6), point(d)				
14 0	(d) the implementation of the landing obligation referred to in Article 15 of	(d) the implementation of the landing obligation referred to in Article 15 of	(d) the implementation of the landing obligation referred to in Article 15 of	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
	Regulation (EU) No 1380/2013;	Regulation (EU) No 1380/2013;	Regulation (EU) No 1380/2013;	
	Article 9(6), point(da)			
14 0a		<u>da control of invasive species that cause considerable damage to the productivity of fisheries;</u> AM 105		No support to EP text
	Article 9(6), point(db)			
14 0b		<u>db support for research into and use of innovative selective fishing gear throughout the Union, not only but including in accordance with Article 27 of Regulation (EU) No 1380/2013;</u> Am 106		No support to EP text
	Article 9(6), point(e)			
14 1	(e) the most recent evidence on the socio-economic performance of the sustainable blue economy, and in	(e) the most recent evidence on the <u>balance between the environmental priorities and the</u> socio-economic	(e) the most recent evidence on the socio-economic performance of the sustainable blue economy, and in	No support to EP text in principle but some flexibility to explore EP's concerns

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
	particular the fishery and aquaculture sector;	performance of the sustainable blue economy, and in particular the fishery and aquaculture sector; AM 107	particular the fishery and aquaculture sector;	
Article 9(6), point(f)				
14 2	(f) where applicable, the analyses referred to in paragraph 5;	(f) where applicable, the analyses referred to in paragraph 5;	(f) where applicable, the analyses referred to in paragraph 56; Paragraph 6 in the Council General Approach is paragraph 5 in this table.	
Article 9(6), point(g)				
14 3	(g) the contribution of the programme to the conservation and restoration of marine ecosystems, while the support related to Natura 2000 areas shall be in accordance with the prioritised action frameworks established pursuant to Article 8(4) of Directive 92/43/EEC;	(g) the contribution of the programme to the conservation and restoration of marine ecosystems, while the support related to Natura 2000 areas shall be in accordance with the prioritised action frameworks established pursuant to Article 8(4) of Directive 92/43/EEC bringing about a balance	(g) the contribution of the programme to the conservation and restoration of marine ecosystems, while the support related to Natura 2000 areas shall be in accordance with the prioritised action frameworks established pursuant to Article 8(4) of Directive 92/43/EEC;	Some flexibility to consider how to address EP's concerns

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
		<u><i>between the economic and social considerations and the conservation and restoration of marine and freshwater ecosystems;</i></u> AM 108		
Article 9(6), point(h)				
144	(h) the contribution of the programme to the reduction of marine litter, in accordance with Directive xx/xx of the European Parliament and of the Council [Directive on the reduction of the impact of certain plastic products on the environment] ¹ ; 1. OJ C [...], [...], p. [...].	(h) the contribution of the programme to the <u><i>collection and</i></u> reduction of marine litter, in accordance with Directive xx/xx of the European Parliament and of the Council [Directive on the reduction of the impact of certain plastic products on the environment] ¹ ; 1. OJ C [...], [...], p. [...]. AM 109	(h) the contribution of the programme to the reduction of marine litter, in accordance with Directive xx/xx of the European Parliament and of the Council [Directive on the reduction of the impact of certain plastic products on the environment] ¹ ; ; 1. OJ C [...], [...], p. [...].	No support to EP amendment

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 9(6), point(i)				
14 5	(i) the contribution of the programme to climate change mitigation and adaptation.	(i) the contribution of the programme to climate change <u>fight</u> , mitigation and adaptation- <u>, including by reducing CO₂ emissions by means of fuel savings;</u> AM 110	(i) the contribution of the programme to climate change mitigation and adaptation.	No support to EP amendment
Article 9(6), point(ia)				
14 5a		<u>ia the contribution of the programme to tackling IUU fishing.</u> AM 111		No support to EP amendment
Article 9(7)				
14 6	7. Subject to Article 18 of Regulation (EU) No [Regulation laying down Common Provisions], the Commission shall adopt implementing acts approving the programme. The Commission shall approve the proposed programme	7. Subject to Article 18 of Regulation (EU) No [Regulation laying down Common Provisions], the Commission shall adopt implementing acts approving the programme. The Commission shall approve the proposed programme	deleted	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
	provided the necessary information has been submitted.	provided the necessary information has been submitted.		
Article 9(8)				
14 7	8. Subject to Article 19 of Regulation (EU) No [Regulation laying down Common Provisions], the Commission shall adopt implementing acts approving amendments to a programme.	8. Subject to Article 19 of Regulation (EU) No [Regulation laying down Common Provisions], the Commission shall adopt implementing acts approving amendments to a programme.	deleted	
Article 10				
14 8	Article 10 Programming for support under direct and indirect management	Article 10 Programming for support under direct and indirect management	Article 10 Programming for support under direct and indirect management	
Article 10, first paragraph				
14 9	Titles III shall be implemented through work programmes referred to in Article 110 of Regulation (EU) No	Titles III shall be implemented through work programmes referred to in Article 110 of Regulation (EU) No	Titles III shall be implemented through work programmes referred to in Article 110 of Regulation (EU) No	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
	[Regulation on the financial rules applicable to the general budget of the Union]. Work programmes shall set out, where applicable, the overall amount reserved for the blending operations referred to in Article 47.	[Regulation on the financial rules applicable to the general budget of the Union]. Work programmes shall set out, where applicable, the overall amount reserved for the blending operations referred to in Article 47.	[Regulation on the financial rules applicable to the general budget of the Union] In order to implement Title III, the Commission shall adopt implementing acts laying down work programmes . Work programmes shall set out, where applicable, the overall amount reserved for the blending operations referred to in Article 47. Except as regards technical assistance, these implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53 (2).	
Article 12a				
16 7b			Article 12a Eligibility for EMFAF support under shared management In the Council General Approach	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
			appears as Article 12new.	
Article 12a(1)				
16 7c			1 Without prejudice to Article 9(2) of this Regulation and to Article 57 of Regulation (EU) No [Regulation laying down Common Provisions], operations under Title II shall be deemed eligible for support under EMFAF, provided that they are in accordance with applicable EU law and are not excluded under Article 13. In the Council General Approach, appears as unnumbered paragraph.	
Article 12a				
16 7d		Article 12a <u>Eligible operations</u> AM 119		No support to EP amendment - explore if EP's concerns are covered by Article 12 new PGA

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 12a(1)				
16 7e		<u><i>1 A variety of operations identified by the Member States in their programmes may be supported by the EMFAF, provided that they are covered by one or more of the priorities identified in this Regulation.</i></u> AM 119		No support to EP amendment - explore if EP's concerns are covered by Article 12 new PGA
Article 15				
18 8	Article 15 Action plan for small-scale coastal fishing	Article 15 Action plan for small-scale coastal fishing	Article 15 Action plan for small-scale coastal Transferring or reflagging of fishing vessels	Article 15 To be discussed at a later stage
Article 15(-1)				
18 8a			-1 Where support under this Chapter is granted in respect of a vessel, that vessel shall not be	To be discussed at a later stage

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
			transferred or reflagged outside the Union during at least the five years from the final payment for the supported operation. In the Council General Approach, appears as unnumbered paragraph.	
Article 15(1), introductory part				
18 9	1. Member States shall prepare as part of their programme an action plan for small-scale coastal fishing which shall set out a strategy for the development of profitable and sustainable small-scale coastal fishing. This strategy shall be structured along the following sections, where applicable:	1. Member States shall prepare as part of their programme an <u>and in due collaboration with the relevant sectors, a specific</u> action plan for small-scale coastal fishing which shall set out a strategy for the development of profitable and sustainable small-scale coastal fishing. This strategy shall be structured along the following sections, where applicable: AM 131	deleted	Defend PGA

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 15(1), point(a)				
190	(a) adjustment and management of fishing capacity;	(a) adjustment and management of fishing capacity;	deleted	
Article 15(1), point(b)				
191	(b) promotion of low-impact, climate resilient and low-carbon fishing practices that minimize damage to the marine environment;	(b) promotion of low-impact, climate resilient and low-carbon fishing practices that minimize damage to the marine environment;	deleted	
Article 15(1), point(c)				
192	(c) reinforcement of the value chain of the sector and promotion of marketing strategies;	(c) reinforcement of the value chain of the sector and promotion of marketing strategies, <u>promoting any mechanisms that improve first-sale price, in order to benefit fishers by increasing their reward for their work, and that promote fair and appropriate distribution of value added throughout the sector's value chain, reducing intermediaries'</u>	deleted	Defend PGA

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
		<u>margins, increasing the prices paid to producers and restricting the prices paid by end-consumers;</u> AM 311		
Article 15(1), point(d)				
19 3	(d) promotion of skills, knowledge, innovation and capacity building;	(d) promotion of skills, knowledge, innovation and capacity building, <u>in particular for young fishers;</u> AM 132	deleted	Defend PGA
Article 15(1), point(e)				
19 4	(e) improvement of health, safety and working conditions on board fishing vessels;	(e) improvement of health, safety and working conditions on board fishing vessels, <u>in fishing on foot and shellfish gathering, as well as on-shore in direct fishing-related activities;</u> AM 133	deleted	Defend PGA

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 15(1), point(f)				
19 5	(f) increased compliance with data collection, traceability, monitoring, control and surveillance requirements;	(f) increased compliance with data collection, traceability, monitoring, control and surveillance requirements;	deleted	
Article 15(1), point(g)				
19 6	(g) involvement in the participatory management of the maritime space, including Marine Protected Areas and Natura 2000 areas;	(g) involvement in the participatory management of the maritime space, including Marine Protected Areas and Natura 2000 areas;	deleted	
Article 15(1), point(h)				
19 7	(h) diversification of activities in the broader sustainable blue economy;	(h) diversification of activities in the broader sustainable blue economy;	deleted	
Article 15(1), point(i)				
19 8	(i) collective organisation and participation in the decision-making and advisory processes.	(i) collective organisation and participation in the decision-making and advisory processes.	deleted	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 15(2)				
199	2. The action plan shall take into account the FAO voluntary guidelines for securing sustainable small-scale fisheries and, where appropriate, the regional plan of action for small-scale fisheries from the General Fisheries Commission for the Mediterranean.	2. The action plan shall take into account the FAO voluntary guidelines for securing sustainable small-scale fisheries and, where appropriate, the regional plan of action for small-scale fisheries from the General Fisheries Commission for the Mediterranean.	deleted	
Article 15(3)				
200	3. For the purpose of monitoring the implementation of the strategy referred to in paragraph 1, the action plan shall establish specific milestones and targets linked to relevant indicators established under the monitoring and evaluation framework referred to in Article 37.	3. For the purpose of monitoring the implementation of the strategy referred to in paragraph 1, the action plan shall establish specific milestones and targets linked to relevant indicators established under the monitoring and evaluation framework referred to in Article 37.	deleted	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 15(3a)				
20 0a		<u>3a In order to alleviate the administrative burden on operators applying for aid, Member States shall endeavour introducing a single Union simplified application form for EMFAF measures.</u> AM 134		No support to EP amendment
TITLE II, CHAPTER VI, Section 3				
33 4	Section 3 Monitoring and reporting	Section 3 Monitoring and reporting	Section 3 Monitoring and reporting	
Article 37				
33 5	Article 37 Monitoring and evaluation framework	Article 37 Monitoring and evaluation framework	Article 37 Monitoring and evaluation framework	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 37(1)				
33 6	1. Indicators to report on progress of the EMFF towards the achievement of the priorities referred to in Article 4 are set out in Annex I.	1. Indicators to report on progress of the EMFF <u>EMFAF</u> towards the achievement of the priorities referred to in Article 4 are set out in Annex I.	deleted	Defend PGA
Article 37(2)				
33 7	2. To ensure effective assessment of progress of the EMFF towards the achievement of its priorities, the Commission shall be empowered to adopt delegated acts, in accordance with Article 52, to amend Annex I to review or complement the indicators where considered necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework .	2. To ensure effective assessment of progress of the EMFF <u>EMFAF</u> towards the achievement of its priorities, the Commission shall be empowered to adopt delegated acts, in accordance with Article 52, to amend Annex I to review or complement the indicators where considered necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework	deleted	Defend PGA
Article 37(2a)				

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
33 7a			2a Common output and result indicators for the EMFAF as set out in Annex I and where necessary, programme-specific indicators, shall be used in accordance with point (a) of the second subparagraph of Article [12(1)], point (d)(ii) of Article [17(3)] and point (b) of Article [37(2)] of Regulation (EU) 2018/xxx CPR. In the Council General Approach, appears as paragraph 1.	
Article 37(2b)				
33 7b			2b In compliance with its reporting requirement pursuant to Article 41(3)(h)(iii) of Regulation (EU) No 2018/1046 (Financial Regulation), the Commission shall report to the European Parliament and the	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
			Council on the performance of the EMFAF. In this report, the Commission shall use core performance indicators set out in Annex I. In the Council General Approach, appears as paragraph 2.	
Article 37(2c)				
33 7c			2c In addition to the general rules set out in Article 37 of Regulation (EU) No 2018/xxx (CPR), the managing authority shall provide the Commission with relevant operation level implementation data which include key characteristics of the beneficiary (name, type of beneficiary, size of enterprise, gender and contact details) and funded operations (specific objective, type of	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
			operation, sector addressed, values of indicators, state of progress of the operation, vessel number, financial data and form of support). The data shall be reported on 31 January of each year. The first transmission shall be due by 31 January 2022 and the last one by 31 January 2030. In the Council General Approach, appears as paragraph 3.	
Article 37(2d)				
33 7d			2d The Commission shall adopt implementing acts laying down rules for further specifying the exact data referred to in paragraph 3 and for its presentation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
			(2)¹. 1. It will be necessary to ensure consistency between paragraphs 3 and 4 of this Article and Article 66(4) and Annex XYZ of the CPR. In the Council General Approach, appears as paragraph 4.	
Article 37(2e)				
33 7e			2e The Commission shall be empowered to adopt delegated acts, in accordance with Article 52, to supplement core performance indicators of Annex I in order to adapt to changes occurring during the programming period. In the Council General Approach, appears as paragraph 5.	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 37a				
33 7f			Article 37a Reporting of the results of the funded operation In the Council General Approach, appears as Article 37 new.	
Article 37a(1)				
33 7g			1 The beneficiaries shall report the value of relevant result indicators after the completion of the operation and no later than with the final payment claim. The Managing Authority shall review the plausibility of the value of result indicators reported by the beneficiary in parallel with the final payment.	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 37a(2)				
33 7h			2 The timelines established in paragraph 1 can be postponed if so decided at the national level.	
Article 38				
33 8	Article 38 Annual performance report	Article 38 Annual performance report	Article 38 delete	
Article 38(1)				
33 9	1. In accordance with Article 36(6) of Regulation (EU) No [Regulation laying down Common Provisions], each Member State shall submit to the Commission an annual performance report no later than one month before the annual review meeting. The first report shall be submitted in 2023 and the last report in 2029.	1. In accordance with Article 36(6) of Regulation (EU) No [Regulation laying down Common Provisions], each Member State shall submit to the Commission an annual performance report no later than one month before the annual review meeting. The first report shall be submitted in 2023 and the last report in 2029.	deleted	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 38(2)				
340	2. The report referred to in paragraph 1 shall describe the progress in programme implementation and in achieving the milestones and targets referred to in Article 12 of Regulation (EU) No [Regulation laying down Common Provisions]. It shall also describe any issues that affect the performance of the programme and the measures taken to address those issues.	2. The report referred to in paragraph 1 shall describe the progress in programme implementation and in achieving the milestones and targets referred to in Article 12 of Regulation (EU) No [Regulation laying down Common Provisions]. It shall also describe any issues that affect the performance of the programme and the measures taken to address those issues.	deleted	
Article 38(3)				
341	3. The report referred to in paragraph 1 shall be examined during the annual review meeting, in accordance with Article 36 of Regulation (EU) No [Regulation laying down Common Provisions].	3. The report referred to in paragraph 1 shall be examined during the annual review meeting, in accordance with Article 36 of Regulation (EU) No [Regulation laying down Common Provisions].	deleted	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 38(3a)				
34 1a		<u>3a Each Member State shall publish the report referred to in paragraph 1 in both the original language and in one of the working languages of the European Commission.</u> AM 230		No support to EP position
Article 38(3b)				
34 1b		<u>3b The report referred to in paragraph 1 shall be routinely published on the website of the European Commission.</u> AM 231		No support to EP position
Article 38(3c)				
34 1c		<u>3c Each Member State and the Commission shall publish reports on best practices on their respective websites.</u> AM 232		No support to EP position

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 38(4)				
34 2	4. The Commission shall adopt implementing acts laying down rules for the presentation of the report referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 53(2).	4. The Commission shall adopt implementing acts laying down rules for the presentation of the report referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 53(2).	deleted	
Article 38(4a)				
34 2a		<u>4a The Commission shall publish all relevant documents related to the adoption of the implementing acts referred to in paragraph 7.</u> AM 233		No support to EP position
Article 48				
38 4	Article 48 Evaluation	Article 48 Evaluation	Article 48 Evaluation Evaluations by the Commission	
Article 48(1)				

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
38 5	1. Evaluations shall be carried out in a timely manner to feed into the decision-making process.	1. Evaluations shall be carried out in a timely manner to feed into the decision-making process.	1. Evaluations shall be carried out in a timely manner to feed into the decision-making process. Evaluations shall be entrusted to internal or external experts who are functionally independent.	
Article 48(2)				
38 6	2. The interim evaluation of the support under Title III shall be performed once there is sufficient information available about the implementation, but not later than four years after the start of the implementation of the support.	2. The interim evaluation of the support under Title III shall be performed once there is sufficient information available about the implementation, but not later than four years after the start of the implementation of the support. <u>This evaluation shall take the form of a report by the Commission and provide detailed assessment of all specific aspects of the implementation.</u> AM 252	2. The interim evaluation of the support under Title III shall be performed once there is sufficient information available about the implementation, but not later than four years after the start of the implementation of the support by the end of 2024.	Some flexibility to consider how to address EP's concerns

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 48(3)				
38 7	3. At the end of the implementation period, but no later than four years after it, a final evaluation report on the support under Title III shall be prepared by the Commission.	3. At the end of the implementation period, but no later than four years after it, a final evaluation report on the support under Title III shall be prepared by the Commission.	3. At the end of the implementation period, but no later than four years after it, A final evaluation report on the support under Title III- shall be prepared delivered by the Commission end of 2031.	
Article 48(4)				
38 8	4. The Commission shall communicate the conclusion of the evaluations, accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.	4. The Commission shall communicate the <u>evaluations reports referred to in paragraphs 2 and 3</u> conclusion of the evaluations, accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. AM 253	4. The Commission shall communicate the conclusion of the evaluations, accompanied by its observations, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.	Some flexibility to explore how to address EP's concerns

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
Article 48(4a)				
38 8a		<u><i>4a As appropriate, the Commission may propose amendments to this Regulation on the basis of the report referred to in paragraph 2.</i></u> AM 254 - this is the last paragraph of Article 48		No support to EP's position
Article 48a				
38 8b			Article 48a Monitoring under direct and indirect management In the Council General Approach, appears as Article 48 new.	
Article 48a(1)				
38 8c			1 The Commission shall use the result and output indicators set out in the Annex I to monitor the results of the EMFAF under direct	

	Commission Proposal	4/04/2019 (confirmed by EP - doc.13344/19) EP position	(doc. 10297/19 + 12660/1/19 REV1) Council's partial General Approach	Draft Council Mandate
			and indirect management.	
Article 48a(2)				
38 8d			2 The Commission shall collect data on operations selected for funding, including key characteristics of the beneficiary and the operation itself under direct and indirect management as set out in the Article 37(3).	

For Annex I, II and IV, the Presidency suggests not to support any of the amendments introduced by the European Parliament and defend the partial Council's General Approach.