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From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	ST 5350/1/20 REV 1 PECHE 22 CODEC 33 CADREFIN 7
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)

Delegations will find attached written comments by the Netherlands delegation on the above-mentioned document.

Written comments from The Netherlands, concerning WK 5350/1/20 REV1

Block 1 - revised mandate

- Row 91: We agree with the proposed widened scope. However, the manner in which ecological carrying capacity is added to the priority will result in unnecessary discussions on whether selected projects fit within the priority. To meet the concern of the EP we propose including ecological carrying capacity in the definition of "sustainable blue economy" (article 3, row 86). Moreover, the definition is the most logical place to take on such preconditions.
- Row 135: We have concerns on the feasibility of this proposal. MS have SWOT analysis and started programming the OP. In we keep adding requirements, at what stage will the sea basin analysis be completed? Will MS at this point even be able to include it while drafting the program?
- Rows 184, 184a, 184f: it is important to understand the exact concern of the EP. MSY and selectivity are already part of Article 2 of the CFP, and a reference is made to the entire article. Therefore it is not necessary to explicitly name these two issues here. It only creates confusion as to why MSY and selectivity are explicitly mentioned here. We suggest to reflect their concern in a recital instead.
- Rows 275e: We agree to explore the EP's concern. However, there is an important aspect which affects the proposed text. This is that Regulation 2016/429 comes into force by April 2021; measures at that point must be implemented. This means that there is only very limited timeframe "support the implementation to", and instead there should be more focus on "implementation in accordance with".
- Rows 429: With regards to RI10 we believe that the addition of fish for health and welfare seems too restrictive. Fiche 13 reflects broader terms than mere fish as it states: ***Temporary cessation and other conservation measures under Article 7 of the CFP. Actions addressing both public and animal health, and animal welfare.*** The addition of fish therefore has a limiting effect on

Changes to the rest of the provisions

- Row 86: We agree with the proposed flexibility and would like to include ecological carrying capacity in the definition of sustainable blue economy (as opposed to doing it at the target in row 91.)
- Row 100: We support the EP proposal that fixes the ratio between direct and shared management by a percentage.
- Row 175: We agree to explore whether Article 16 (3a) meets the concerns of the EP. However, we must be aware that the proposed EP amendment means that we subsidize acquisitions. In our opinion this cannot be the intention of the fund. Therefore cannot agree to such an widening of the fund.
- Row 219a: In case of permanent cessation it is undesirable to also compensate the crew (beside the owner of the vessel). As it is to be expected that the crew will find employment elsewhere, be it within the fishing industry or outside.
- Row 238: We cannot accept that in the case of temporary cessation the maximum timeframe [of 6 months] has been removed from the measure. As such there is no clear difference with permanent cessation anymore.
- Rows 281a t/m 281c: in the GA Article 24 has been deleted, so it is unclear where these will be included in the regulation. Therefore, it seems important when examining the EP's concern, to realize that these matters should be included as "specific conditions", as they are limiting factors for granting support. The same structure, method can be observed in the article for the first acquisition of a fishing vessel.
- Row: 284: We prefer the GA, but have some flexibility. However, the use of "shall" makes it mandatory to support through grants and financial instruments. In case the EP amendment is accepted, "shall" must be changed to "may".
- Row 301u t/m x: We absolutely cannot support these. Fleet renewal should be excluded based on the WTO agreement, so it is unthinkable to suddenly support it through this fund. It leads to an increase in the catch ability and to a disruption (level playing field) of the fragile economies in the Caribbean. Exploring the EP's concern cannot lead to such a consequence.

- Row 308: This link in the EP amendment is (legally) incorrect. This section deals with direct management and has no connection or influence on the operational programs under shared management

