



12.9.2018

*****I**

DRAFT 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 (COM(2018)0390 – C8-0270/2018 – 2018/0210(COD))

Committee on Fisheries

Rapporteur: Gabriel Mato

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▯ symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**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
(COM(2018)0390 – C8-0270/2018 – 2018/0210(COD))**

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0390),
 - having regard to Article 294(2) and Article 42, Article 43(2), Article 91(1), Article 100(2), Article 173(3), Article 175, Article 188, Article 192(1), Article 194(2), Article 195(2) and Article 349 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0270/2018),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the official notification of 29 March 2017 by the United Kingdom government, pursuant to Article 50 of the Treaty on European Union, of its intention to withdraw from the European Union,
 - having regard to the opinion of the European Economic and Social Committee of2018¹,
 - having regard to the opinion of the Committee of the Regions of 16 May 2018²,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Fisheries and the opinions of the Committee on Budgets, the Committee on the Environment, Public Health and Food Safety and the Committee on Regional Development (A8-0000/2018),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C of, p.

² Not yet published in the Official Journal.

Amendment 1

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the priorities set for the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the **expected** risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].

Amendment

(7) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the priorities set for the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].

Or. en

Justification

The Commission text implies that non-compliance is always expected.

Amendment 2

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The multiannual financial framework set out in Regulation (EU) xx/xx⁶ provides that the Union budget must continue to support fisheries and maritime policies. The EMFF budget should amount, in current prices, to **EUR 6 140 000 000**. EMFF resources should be split between shared, direct and indirect management. **EUR 5 311 000 000** should be allocated to support under shared management and **EUR 829 000 000** to support under direct and indirect management. In order to

Amendment

(8) The multiannual financial framework set out in Regulation (EU) xx/xx⁶ provides that the Union budget must continue to support fisheries and maritime policies. The EMFF budget should **be maintained at the same levels as for the period 2014-2020. It should** amount, in current prices, to **EUR 6 400 000 000**. EMFF resources should be split between shared, direct and indirect management. **90 % of the total EMFF budget (EUR 5 760 000 000)** should be allocated to support

ensure stability in particular with regard to the achievement of the objectives of the CFP, the definition of national allocations under shared management for the 2021-2027 programming period should be based on the EMFF 2014-2020 shares. Specific amounts should be reserved for the outermost regions, control and enforcement and collection and processing of data for fisheries management and scientific purposes, while amounts for permanent cessation and *extraordinary* cessation of fishing activities should be capped.

⁶ OJ C [...], [...], p. [...].

under shared management and **10 % (EUR 640 000 000)** to support under direct and indirect management. In order to ensure stability in particular with regard to the achievement of the objectives of the CFP, the definition of national allocations under shared management for the 2021-2027 programming period should be based on the EMFF 2014-2020 shares. Specific amounts should be reserved for the outermost regions, control and enforcement and collection and processing of data for fisheries management and scientific purposes, while amounts for permanent cessation and *temporary* cessation of fishing activities should be capped.

⁶ OJ C [...], [...], p. [...].

Or. en

Justification

Public funding is more needed than ever to face upcoming challenges such as the landing obligation, the consequences of Brexit, MSY levels by 2020, fleet restructuring, an ever-ageing fleet and scarce workforce. An ambitious fund for fisheries with at least the same budgetary allocation than the current one is therefore fundamental. Consequently, the budget of the previous fund, as well as the same share allocated under shared management should be maintained.

Amendment 3

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) The EMFF should be based on four priorities: fostering sustainable fisheries **and the conservation of marine biological resources**; contributing to food security in the Union through competitive and sustainable aquaculture and markets; enabling the growth of a sustainable blue economy and fostering prosperous coastal communities; strengthening international ocean governance and enabling safe,

Amendment

(10) The EMFF should be based on four priorities: fostering sustainable fisheries, **for achieving economic, social and environmental benefits**; contributing to food security in the Union through competitive and sustainable **fisheries**, aquaculture and markets; enabling the growth of a sustainable blue economy and fostering prosperous coastal communities; strengthening international ocean

secure, clean and sustainably managed seas and oceans. Those priorities should be pursued through shared, direct and indirect management.

governance and enabling safe, secure, clean and sustainably managed seas and oceans. Those priorities should be pursued through shared, direct and indirect management.

Or. en

Justification

One of the priorities of the proposed EMFF by the Commission is the contribution to food security in the Union. Both fisheries and aquaculture contribute to food security in Europe and this should be recognised and further promoted. The EU must provide the conditions for economically viable and competitive fishing and aquaculture sectors under this priority.

Amendment 4

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) The EMFF beyond 2020 should be based on a simplified architecture without predefining measures and detailed eligibility rules at Union level in an overly prescriptive manner. Instead, broad areas of support should be described under each priority. Member States should thus draw up their programme indicating therein the most appropriate means for achieving the priorities. A variety of measures identified by the Member States in those programmes might be supported under the rules set out in this Regulation and in Regulation (EU) No [Regulation laying down Common Provisions], provided they are covered by the *areas of support* identified in this Regulation. However, it is necessary to set out a list of ineligible operations so as to avoid detrimental impacts in terms of fisheries conservation, for example a general prohibition of investments enhancing fishing capacity. Moreover, investments and compensations for the fleet should be strictly conditional on their consistency with the *conservation* objectives of the CFP.

Amendment

(11) The EMFF beyond 2020 should be based on a simplified architecture without predefining measures and detailed eligibility rules at Union level in an overly prescriptive manner. Instead, broad areas of support should be described under each priority. Member States should thus draw up their programme indicating therein the most appropriate means for achieving the priorities. A variety of measures identified by the Member States in those programmes might be supported under the rules set out in this Regulation and in Regulation (EU) No [Regulation laying down Common Provisions], provided they are covered by the *priorities* identified in this Regulation. However, it is necessary to set out a list of ineligible operations so as to avoid detrimental impacts in terms of fisheries conservation, for example a general prohibition of investments enhancing fishing capacity. Moreover, investments and compensations for the fleet should be strictly conditional on their consistency with the objectives of the CFP.

Justification

It is not clear that all "areas of support" are mentioned under each of the four priorities of the EMFF. It should be possible for the EMFF to support measures that are covered by one (or more) of these priorities.

Amendment 5**Proposal for a regulation****Recital 14***Text proposed by the Commission*

(14) The EMFF should contribute to the achievement of the environmental objectives of the Union. This contribution should be tracked through the application of Union environmental markers and reported regularly in the context of evaluations and annual performance reports.

Amendment

(14) The EMFF should contribute to the achievement of the environmental objectives of the Union, ***within the framework of the CFP***. This contribution should be tracked through the application of Union environmental markers and reported regularly in the context of evaluations and annual performance reports.

Justification

The EMFF should contribute to EU environmental objectives, but not of any nature. There has to be a link with fisheries and aquaculture.

Amendment 6**Proposal for a regulation****Recital 16***Text proposed by the Commission*

(16) In order to address the specific conditions of the CFP referred to in Regulation (EU) No 1380/2013 and to contribute to the compliance with the rules of the CFP, provisions additional to the rules on interruption, suspension and financial corrections as set out in Regulation (EU) No [Regulation laying down Common Provisions] should be laid

Amendment

(16) In order to address the specific conditions of the CFP referred to in Regulation (EU) No 1380/2013 and to contribute to the compliance with the rules of the CFP, provisions additional to the rules on interruption, suspension and financial corrections as set out in Regulation (EU) No [Regulation laying down Common Provisions] should be laid

down. Where a Member State or a beneficiary has failed to comply with its obligations under the CFP, or where the Commission has evidence that *suggests* such a lack of compliance, the Commission should, *as a precautionary measure*, be allowed to interrupt payment deadlines. In addition to the possibility of interruption of the payment deadline, and in order to avoid an evident risk of paying out ineligible expenditure, the Commission should be allowed to suspend payments and impose financial corrections in cases of serious non-compliance with rules of the CFP by a Member State.

down. Where a Member State or a beneficiary has failed to comply with its obligations under the CFP, or where the Commission has evidence that *proves* such a lack of compliance, the Commission should be allowed to interrupt payment deadlines *provisionally*. In addition to the possibility of interruption of the payment deadline, and in order to avoid an evident risk of paying out ineligible expenditure, the Commission should be allowed to suspend payments and impose financial corrections in cases of serious non-compliance with rules of the CFP by a Member State.

Or. en

Justification

Lack of compliance must be proved for provisional interruption of payment deadlines.

Amendment 7

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) Fisheries control is of utmost importance for the implementation of the CFP. Therefore, the EMFF should support under shared management the development and implementation of a Union fisheries control system as specified in Council Regulation (EC) No 1224/2009 ('Control Regulation')⁸. *Certain obligations foreseen by the revision of the Control Regulation justify a specific support from the EMFF, i.e. the compulsory vessel tracking and electronic reporting systems in the case of small-scale coastal fishing vessels, the compulsory remote electronic monitoring systems and the compulsory continuous measurement and recording of propulsive engine power.* In addition, investments by Member States in control assets could also be used for the purpose of

Amendment

(23) Fisheries control is of utmost importance for the implementation of the CFP. Therefore, the EMFF should support under shared management the development and implementation of a Union fisheries control system as specified in Council Regulation (EC) No 1224/2009 ('Control Regulation')⁸. In addition, investments by Member States in control assets could also be used for the purpose of maritime surveillance and cooperation on coastguard functions.

maritime surveillance and cooperation on coastguard functions.

⁸ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

⁸ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

Or. en

Justification

The revision of the Control regulation has not been completed. Therefore any reference to provisions that are not agreed upon by the co-legislators should be avoided.

Amendment 8

Proposal for a regulation Recital 26

Text proposed by the Commission

(26) Given the challenges to achieve the **conservation** objectives of the CFP, it should be possible for the EMFF to support actions for the management of fisheries and fishing fleets. In this context, support for fleet adaptation remains sometimes necessary with regard to certain fleet segments and sea basins. Such support should be tightly targeted to the conservation and sustainable exploitation of marine biological resources and aimed to achieve balance between the fishing capacity and the available fishing opportunities. Therefore, it should be possible for the EMFF to support the

Amendment

(26) Given the challenges to achieve the objectives of the CFP, it should be possible for the EMFF to support actions for the management of fisheries and fishing fleets. In this context, support for fleet adaptation remains sometimes necessary with regard to certain fleet segments and sea basins. Such support should be tightly targeted to the conservation and sustainable exploitation of marine biological resources and aimed to achieve balance between the fishing capacity and the available fishing opportunities. Therefore, it should be possible for the EMFF to support the permanent cessation of fishing activities in

permanent cessation of fishing activities in fleet segments where the fishing capacity is not balanced with the available fishing opportunities. Such support should be a tool of the action plans for the adjustment of fleet segments with identified structural overcapacity, as provided for in Article 22(4) of Regulation (EU) No 1380/2013, and should be implemented either through the scrapping of the fishing vessel or through its decommissioning and retrofitting for other activities. Where the retrofitting would lead to an increased pressure of recreational fishing on the marine ecosystem, support should only be granted if in line with the CFP and the objectives of the relevant multiannual plans. ***In order to ensure the consistency of fleet structural adaptation with conservation objectives, support for the permanent cessation of fishing activities should be strictly conditional and linked to the achievement of results. It should therefore be implemented only by financing not linked to costs, as provided for in Regulation (EU) No [Regulation laying down Common Provisions].*** Under that mechanism, Member States should *not* be reimbursed by the Commission for permanent cessation of fishing activities on the basis of real costs incurred ***but on the basis of the fulfilment of conditions and of the achievement of results. For this purpose, the Commission should establish in a delegated act such conditions, which should relate to the achievement of the conservation objectives of the CFP.***

fleet segments where the fishing capacity is not balanced with the available fishing opportunities. Such support should be a tool of the action plans for the adjustment of fleet segments with identified structural overcapacity, as provided for in Article 22(4) of Regulation (EU) No 1380/2013, and should be implemented either through the scrapping of the fishing vessel or through its decommissioning and retrofitting for other activities. Where the retrofitting would lead to an increased pressure of recreational fishing on the marine ecosystem, support should only be granted if in line with the CFP and the objectives of the relevant multiannual plans. Under that mechanism, Member States should be reimbursed by the Commission for permanent cessation of fishing activities on the basis of real costs incurred.

Or. en

Justification

The objectives of the CFP do not only include the conservation of fisheries resources and ecosystems, but also economic and social ones. The part of the paragraph deleted would create legal uncertainty which would dissuade Member States from requesting support for this action.

Amendment 9

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) ***Given the high level of unpredictability of fishing activities, exceptional circumstances may cause significant economic losses to fishers. In order to mitigate those consequences,*** it should be possible for the EMFF to support a compensation for the ***extraordinary*** cessation of fishing activities caused by the implementation of certain conservation measures, i.e. multiannual plans, targets for the conservation and sustainable exploitation of stocks, measures to adapt the fishing capacity of fishing vessels to available fishing opportunities and technical measures, by the implementation of emergency measures, by the interruption, ***due to reasons of force majeure,*** of the application of a sustainable fisheries partnership agreement, by a natural disaster or by an environmental incident. ***Support should be granted only if the impact on fishers of such circumstances is significant, i.e. if the commercial activities of the vessel concerned are stopped during at least 90 consecutive days and if the economic losses resulting from the cessation amount to more than 30% of the average annual turnover of the business concerned during a specified period of time.*** The specificities of eel fisheries should be taken into account in the conditions for granting such support.

Amendment

(27) It should be possible for the EMFF to support a compensation for the ***temporary*** cessation of fishing activities caused by the implementation of certain conservation measures, i.e. ***biological recovery periods,*** multiannual plans, targets for the conservation and sustainable exploitation of stocks, measures to adapt the fishing capacity of fishing vessels to available fishing opportunities and technical measures, by the implementation of emergency measures, by the interruption, of the application ***or by the non-renewal*** of a sustainable fisheries partnership agreement, by a natural disaster or by an environmental incident. The specificities of eel fisheries should be taken into account in the conditions for granting such support.

Or. en

Justification

Support for temporary cessation has played an essential role in improving the state of the stocks, particularly as regards closed seasons, while at the same time partially compensating fishermen for their loss of income. However, the measure as proposed is too prescriptive and rigid. The Commission proposes two new requirements that did not exist in the previous

EMFF Regulation. The measure, as proposed, does not provide for sufficient flexibility.

Amendment 10

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) Small-scale coastal fishing is carried out by fishing vessels below 12 metres and not using towed fishing gears. That sector represents nearly 75% of all fishing vessels registered in the Union and nearly half of all employment in the fishery sector. Operators from small-scale coastal fisheries are particularly dependant on healthy fish stocks for their main source of income. The EMFF should therefore give them a preferential treatment through a 100% aid intensity rate, including for operations related to control and enforcement, with the aim of encouraging sustainable fishing practices. In addition, certain areas of support should be reserved for small-scale fishing in fleet segment where the fishing capacity is balanced with the available fishing opportunities, *i.e. support for the acquisition of a second-hand vessel and for engine replacement or modernisation*. Furthermore, Member States should include in their programme an action plan *for* small-scale coastal fishing, which should be monitored on the basis of indicators for which milestones and targets should be set.

Amendment

(28) Small-scale coastal fishing is carried out by fishing vessels below 12 metres and not using towed fishing gears. That sector represents nearly 75% of all fishing vessels registered in the Union and nearly half of all employment in the fishery sector. Operators from small-scale coastal fisheries are particularly dependant on healthy fish stocks for their main source of income. The EMFF should therefore give them a preferential treatment through a 100% aid intensity rate, including for operations related to control and enforcement, with the aim of encouraging sustainable fishing practices. In addition, certain areas of support should be reserved for small-scale fishing in fleet segment where the fishing capacity is balanced with the available fishing opportunities. Furthermore, Member States should include in their programme an action plan ***providing for support for the preservation, promotion and sustainable development of*** small-scale coastal fishing, which should be monitored on the basis of indicators for which milestones and targets should be set. ***In addition, in view of the extremely diversified fishing fleet among the different Union sea basins, Member States should be able to adapt the definition of “small-scale coastal fishing” in their programmes by taking due consideration of the time spent at sea, distance from the coast, type of fishing gear and links to local communities.***

Or. en

Justification

National action plans should provide for support for small-scale fisheries. On the definition of small-scale: FAO defines “Small-scale producers” as “producers operating at a small-scale to distinguish from industrialised producers. In the reality, the line between small and large-scale producers is arbitrary. What is considered small-scale in one country or region may be considered large scale in another.” Providing an EU-wide definition of small-scale coastal fishing may lead to discrimination, due to the different interpretations within Member States' national context.

Amendment 11

Proposal for a regulation

Recital 29

Text proposed by the Commission

(29) The outermost regions, ***as outlined in the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank of 24 October 2017 entitled 'A stronger and renewed strategic partnership with the EU's outermost regions'¹⁰***, face specific challenges linked to their remoteness, topography and climate as referred to in Article 349 of the Treaty and also have specific assets on which to develop a sustainable blue economy. Therefore, for each outermost region, an action plan for the development of sustainable blue economy sectors, including the sustainable exploitation of fisheries and aquaculture, should be attached to the programme of the concerned Member States and a financial allocation should be reserved to support the implementation of those action plans. It should also be possible for the EMFF to support a compensation of the additional costs the outermost regions face due to their ***location*** and insularity. ***That support should be capped as a percentage of this overall financial*** allocation. In addition, a higher aid intensity rate than the one that applies to other operations should be

Amendment

(29) The outermost regions face specific challenges linked to their remoteness, topography and climate as referred to in Article 349 of the Treaty and also have specific assets on which to develop a sustainable blue economy. Therefore, for each outermost region, an action plan for the development of sustainable blue economy sectors, including the sustainable exploitation of fisheries and aquaculture, should be attached to the programme of the concerned Member States and a financial allocation should be reserved to support the implementation of those action plans. It should also be possible for the EMFF to support a compensation of the additional costs the outermost regions face due to their ***remoteness*** and insularity. ***The lessons drawn from the 2014-2020 programming period call for a simplified implementation of the compensation of the additional costs scheme in the interest of beneficiaries, in line with the Commission's goal of simplification. Member States should have more flexibility to modify their allocation during the budgetary period.*** In addition, a higher aid intensity rate than the one that applies to other operations should be applied in the outermost regions.

applied in the outermost regions.

¹⁰ COM(2017) 623

Or. en

Justification

Article 349 of the Treaty allows for the adoption of specific measures for ORs. These measures may include fisheries policies, State aids and conditions of access to structural funds. Lessons must be drawn from the implementation of the compensation of additional costs for the period 2014-2020 so that beneficiaries of this essential scheme are fairly compensated at the level of the additional costs they incur. Finally, nothing justifies capping the compensation of the additional costs.

Amendment 12

Proposal for a regulation

Recital 29 a (new)

Text proposed by the Commission

Amendment

(29a) In order to ensure the survival of the fisheries sector in the outermost regions and in compliance with the principles of differential treatment for small islands and territories mentioned in Sustainable Development Goal (SDG) 14, it should be possible for the EMFF to support, on the basis of Article 349 TFEU, the renewal of the outermost regions' artisanal and traditional fishing vessels which land all their catches in ports in the outermost regions and contribute to local sustainable development, so as to increase human safety, to comply with European hygiene standards, to fight IUU fishing and to achieve greater environmental efficiency. This fishing fleet renewal should remain within the limits of authorised capacity ceilings, should be restricted to the replacement of an old vessel by a new one, and should allow sustainable fishing and the reaching of the Maximum Sustainable Yield (MSY) objective. It should be possible for the EMFF to support

associated measures, such as the construction or the modernisation of small shipyards dedicated to traditional and artisanal fishing vessels in the outermost regions, the renovation of the deck, or studies.

Or. en

Justification

Public funds to be allocated to the renewal of artisanal and traditional fishing, where the resources allow it. In some ORs, the fleet today is composed by wooden canoes without engine and abundant (mostly pelagic) fishery resources off the coast remain unexploited.

Amendment 13

Proposal for a regulation
Recital 29 b (new)

Text proposed by the Commission

Amendment

(29b) With a view to alleviating the above-mentioned specific constraints in outermost regions and on the basis of Article 349 TFEU, it should be possible to grant State operating aid under a simplified procedure.

Or. en

Justification

Measures foreseen under article 349 of the Treaty may include fisheries policies, State aids and conditions of access to structural funds.

Amendment 14

Proposal for a regulation
Recital 32

Text proposed by the Commission

Amendment

(32) It should be possible for the EMFF to support the promotion and the sustainable development of aquaculture, including freshwater aquaculture, for the farming of aquatic animals and plants for

(32) It should be possible for the EMFF to support the promotion and the sustainable development of aquaculture, including freshwater aquaculture, for the farming of aquatic animals and plants for

the production of food and other raw material. Complex administrative procedures in some Member States remain in place, such as difficult access to space and burdensome licensing procedures, which make it difficult for the sector to improve the image and competitiveness of farmed products. Support should be consistent with the multiannual national strategic plans for aquaculture developed on the basis of Regulation (EU) No 1380/2013. In particular, support for environmental sustainability, productive investments, innovation, acquisition of professional skills, improvement of working conditions, compensatory measures providing critical land and nature management services should be eligible. Public health actions, aquaculture stock insurance schemes and animal health and welfare actions should also be eligible. **However**, in the case of productive investments support **should** be provided **only** through financial instruments and through InvestEU, which offer a higher leverage on markets and are therefore more relevant than grants to address the financing challenges of the sector.

the production of food and other raw material, **including by substantially increasing sustainable production and by fostering the acceptance of aquaculture by society**. Complex administrative procedures in some Member States remain in place, such as difficult access to space and burdensome licensing procedures, which make it difficult for the sector **to develop, to expand and** to improve the image and competitiveness of farmed products. Support should be consistent with the multiannual national strategic plans for aquaculture developed on the basis of Regulation (EU) No 1380/2013. In particular, support for environmental sustainability, productive investments, innovation, acquisition of professional skills, improvement of working conditions, compensatory measures providing critical land and nature management services should be eligible. Public health actions, aquaculture stock insurance schemes and animal health and welfare actions should also be eligible. In the case of productive investments **it should be possible for** support **to be** provided **through grants**, through financial instruments and through InvestEU, which offer a higher leverage on markets and are therefore more relevant than grants to address the financing challenges of the sector.

Or. en

Justification

The consumer is not sufficiently informed about the role, importance and situation of EU aquaculture. We need to boost the development of this sustainable activity and improve its image, namely by providing continuous financial support through EMFF. Grants should not be excluded, as small and medium enterprises cannot easily have access to financial instruments.

Amendment 15

Proposal for a regulation Recital 33

Text proposed by the Commission

(33) Food security relies on efficient and well-organised markets, which improve the transparency, stability, quality and diversity of the supply chain, as well as consumer information. For that purpose, it should be possible for the EMFF to support the marketing of fishery and aquaculture products, in line with the objectives of Regulation (EU) No 1379/2013 of the European Parliament and of the Council ('CMO Regulation')¹⁵. In particular, support should be available for the creation of producer organisations, the implementation of production and marketing plans, the promotion of new market outlets and the development and dissemination of market intelligence.

¹⁵ Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).

Amendment

(33) Food security relies on efficient and well-organised markets, which improve the transparency, stability, quality and diversity of the supply chain, as well as consumer information. For that purpose, it should be possible for the EMFF to support the marketing of fishery and aquaculture products, in line with the objectives of Regulation (EU) No 1379/2013 of the European Parliament and of the Council ('CMO Regulation')¹⁵. In particular, support should be available *inter alia* for the creation of producer organisations, the implementation of production and marketing plans, ***storage aid, promotion and communication campaigns***, the promotion of new market outlets, ***conducting of studies on markets, preservation and strengthening of the EU Market Observatory for Fisheries and Aquaculture products (EUMOFA)*** and the development and dissemination of market intelligence.

¹⁵ Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).

Or. en

Justification

For the sake of clarification, it is important to mention the main measures that could be financed to improve the marketing of fisheries and aquaculture. On storage aid: fishing is a seasonal activity. It is therefore necessary to organize the means of overcoming surpluses of production by stabilizing a part of the productions before putting them back for sale when captures decrease.

Amendment 16

Proposal for a regulation Recital 34

Text proposed by the Commission

(34) The processing industry plays a role in the availability and quality of fishery and aquaculture products. It should be possible for the EMFF to support targeted investments in that industry, provided they contribute to the achievement of the objectives of the CMO. Such support **should** be provided **only** through financial instruments and through InvestEU **and not through grants**.

Amendment

(34) The processing industry plays a role in the availability and quality of fishery and aquaculture products. It should be possible for the EMFF to support targeted investments in that industry, provided they contribute to the achievement of the objectives of the CMO. Such support **may** be provided **through grants**, through financial instruments and through InvestEU.

Or. en

Justification

Continued support should be given, including through grants, to the processing industry in order to boost its competitiveness. Grants should not be excluded, as small and medium enterprises cannot easily have access to financial instruments.

Amendment 17

Proposal for a regulation Recital 34 a (new)

Text proposed by the Commission

Amendment

(34a) Apart from the eligible measures already mentioned, other areas related to fisheries and aquaculture that it should be possible for the EMFF to support should include: advisory services; partnerships between scientists and fishermen; promotion of human capital, job creation and social dialogue; diversification and new forms of income; start-up support for young fishermen; engine replacement; mutual funds for adverse climatic events and environmental incidents; systems of allocation of fishing opportunities; design and implementation of conservation

measures and regional cooperation; measures limiting the impact of fishing on the marine environment or adapting fishing to the protection of species; innovation linked to the conservation of marine biological resources; measures related to energy efficiency and mitigation of climate change; added value, product quality and use of unwanted catches; investments in fishing ports, landing sites, auction halls and shelters; measures related to inland fishing and inland aquatic fauna and flora; communication campaigns aiming at fostering the image of fisheries and maritime professions.

Or. en

Justification

For the sake of clarification, this recital contains an indicative list of measures related to fisheries and aquaculture that may be supported by the EMFF.

Amendment 18

Proposal for a regulation
Recital 46 a (new)

Text proposed by the Commission

Amendment

(46a) The Commission should also provide adequate tools to inform society of the reality of fishing and aquaculture, existing regulations, socio-economic importance and the benefits of consumption of fish and seafood.

Or. en

Justification

The society is not sufficiently informed about the benefits of fishing, its harshness, the benefits of consumption of fish and seafood and very often the image of the sector is negative. The Commission should help the sector and governments to communicate properly and ultimately improve its image.

Amendment 19

Proposal for a regulation

Article 3 – paragraph 2 – point 14

Text proposed by the Commission

(14) ‘small-scale coastal fishing’ means fishing carried out by fishing vessels of an overall length of less than 12 metres and not using towed gear as listed in Article 2(1) of Council Regulation (EC) No 1967/2006²⁶ ;

²⁶ Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 (OJ L 409, 30.12.2006, p. 11).

Amendment

(14) ‘small-scale coastal fishing’ means fishing carried out by fishing vessels of an overall length of less than 12 metres and not using towed gear as listed in Article 2(1) of Council Regulation (EC) No 1967/2006²⁶, ***unless otherwise provided for in the national operational programme***;

²⁶ Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 (OJ L 409, 30.12.2006, p. 11).

Or. en

Justification

FAO defines “Small-scale producers” as “producers operating at a small-scale to distinguish from industrialised producers. In the reality, the line between small and large-scale producers is arbitrary. What is considered small-scale in one country or region may be considered large scale in another.” Providing an EU-wide definition of small-scale coastal fishing may lead to discrimination, due to the different interpretations within Member States’ national context.

Amendment 20

Proposal for a regulation

Article 4 – paragraph 1 – point 1

Text proposed by the Commission

(1) Fostering sustainable fisheries ***and the conservation of marine biological resources***;

Amendment

(1) Fostering sustainable fisheries, ***in order to achieve economic, social and environmental benefits***;

Justification

Sustainable fisheries includes the conservation of marine biological resources. Subsequently, the second part of point (1) is a pleonasm.

Amendment 21**Proposal for a regulation****Article 4 – paragraph 1 – point 2***Text proposed by the Commission*

(2) Contributing to food security in the Union *through competitive and sustainable aquaculture and markets*;

Amendment

(2) Contributing to food security in the Union;

Or. en

Justification

One of the priorities of the proposed EMFF by the Commission is the contribution to food security in the Union. Both fisheries and aquaculture, as well as markets, contribute to food security in Europe and this should be recognised and further promoted. The EU must provide the conditions for economically viable and competitive fishing and aquaculture sectors and markets under this priority.

Amendment 22**Proposal for a regulation****Article 4 – paragraph 2***Text proposed by the Commission*

Support under the EMFF shall contribute to the achievement of the environmental 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.

Amendment

Support under the EMFF shall *also* contribute to the achievement of the environmental 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.

Or. en

Justification

This is not the only domain to which EMFF support contributes.

Amendment 23

Proposal for a regulation

Article 5 – paragraph 1

Text proposed by the Commission

1. The financial envelope for the implementation of the EMFF for the period **2021-2027** shall be **EUR 6 140 000 000** in current prices.

Amendment

1. The financial envelope for the implementation of the EMFF for the period **2014-2020** shall be ***maintained for the period 2021-2027*** (EUR 6 400 000 000 in current prices).

Or. en

Justification

Public funding is more needed than ever to face upcoming challenges such as the landing obligation, the consequences of Brexit, MSY levels by 2020, fleet restructuring, an ever-ageing fleet and scarce workforce. An ambitious fund for fisheries with at least the same budgetary allocation than the current one is therefore fundamental. Consequently, the budget of the previous fund should be maintained.

Amendment 24

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. The part of the financial envelope under shared management as specified in Title II shall be **EUR 5 311 000 000** in current prices in accordance with the annual breakdown set out in Annex V.

Amendment

1. The part of the financial envelope under shared management as specified in Title II shall be **90 % of the total budget of the EMFF** (EUR 5 740 000 000 in current prices) in accordance with the annual breakdown set out in Annex V.

Or. en

Justification

Public funding is more needed than ever to face upcoming challenges such as the landing obligation, the consequences of Brexit, MSY levels by 2020, fleet restructuring, an ever-ageing fleet and scarce workforce. An ambitious fund for fisheries with at least the same budgetary allocation than the current one is therefore fundamental. Consequently, the budget of the previous fund, as well as the same share allocated under shared management and under direct management, should be maintained.

Amendment 25

Proposal for a regulation Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. For operations located in the outermost regions, each Member State concerned shall allocate, within its Union financial support set out in Annex V, at least: *deleted*

(a) EUR 102 000 000 for the Azores and Madeira;

(b) EUR 82 000 000 for the Canary Islands;

(c) EUR 131 000 000 for Guadeloupe, French Guiana, Martinique, Mayotte, Réunion and Saint-Martin.

Or. en

Justification

This provision is put in chapter V a (new) dedicated to outermost regions.

Amendment 26

Proposal for a regulation Article 6 – paragraph 3

Text proposed by the Commission

Amendment

3. The compensation referred to in Article 21 shall not exceed 50% of each of the allocations referred to in points (a), (b) and (c) of paragraph 2. *deleted*

Or. en

Justification

Nothing justifies capping the compensation of the additional costs which are schemes meant to compensate additional costs incurred by operators in the Outermost regions.

Amendment 27

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. The part of the financial envelope under direct and indirect management as specified in Title III shall be **EUR 829 000 000** in current prices.

Amendment

1. The part of the financial envelope under direct and indirect management as specified in Title III shall be **10 % of the total budget of the EMFF (EUR 640 000 000** in current prices).

Or. en

Justification

Public funding is more needed than ever to face upcoming challenges such as the landing obligation, the consequences of Brexit, MSY levels by 2020, fleet restructuring, an ever-ageing fleet and scarce workforce. An ambitious fund for fisheries with at least the same budgetary allocation than the current one is therefore fundamental. Consequently, the budget of the previous fund, as well as the same share allocated under shared management and under direct management, should be maintained.

Amendment 28

Proposal for a regulation

Article 9 – paragraph 3 – point c

Text proposed by the Commission

(c) where applicable, the action plans for the outermost regions referred to in **paragraph 4**.

Amendment

(c) where applicable, the action plans for the outermost regions referred to in **Article 29c**.

Or. en

Justification

The reference to the relevant provision must be adapted.

Amendment 29

Proposal for a regulation

Article 9 – paragraph 4

Text proposed by the Commission

Amendment

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**

(a) a strategy for the sustainable exploitation of fisheries and the development of sustainable blue economy sectors;

(b) a description of the main actions envisaged and the corresponding financial means, including:

i) the structural support to the fishery and aquaculture sector under Title II;

ii) the compensation for additional costs referred to in Article 21;

iii) any other investment in the sustainable blue economy necessary to achieve a sustainable coastal development.

Or. en

Justification

This provision is put in chapter V a (new) dedicated to outermost regions.

Amendment 30

Proposal for a regulation

Article 9 – paragraph 6 – point b a (new)

Text proposed by the Commission

Amendment

(ba) where applicable, the need to modernise or to renew the fleets;

Or. en

Justification

The need to modernise or to renew the fleets must also be considered in the Commission

assessment.

Amendment 31

Proposal for a regulation

Article 9 – paragraph 6 – point g

Text proposed by the Commission

(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;***

Amendment

(g) the contribution of the programme to ***bringing about a balance between the economic and social considerations and*** the conservation and restoration of marine ecosystems;

Or. en

Justification

The programme should not only be assessed by its contribution to the conservation and restoration of marine ecosystems. Economic and social considerations should also be taken into account.

Amendment 32

Proposal for a regulation

Article 12 – paragraph 1 – point a

Text proposed by the Commission

(a) has committed serious infringements under Article 42 of Council Regulation (EC) No 1005/2008²⁸ or Article 90 of Council Regulation (EC) No 1224/2009 or under other legislation adopted by the European Parliament and by the Council;

Amendment

(a) has committed serious infringements under Article 42 of Council Regulation (EC) No 1005/2008²⁸ or Article 90 of Council Regulation (EC) No 1224/2009 or under other legislation adopted by the European Parliament and by the Council ***within the framework of the CFP;***

²⁸ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001

²⁸ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001

and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

Or. en

Justification

The reference to other legislation is vague and ambiguous, consequently creating legal uncertainty. Therefore, it should be specified that the EU legislation referred to serious infringements must be within the framework of the CFP, as is the case in the current regulation 508/2014.

Amendment 33

Proposal for a regulation Article 12 – paragraph 2

Text proposed by the Commission

2. The beneficiary, after submitting the application, shall continue to comply with the admissibility conditions referred to in paragraph 1 throughout the period of implementation of the operation ***and for a period of five years after the final payment to that beneficiary.***

Amendment

2. The beneficiary, after submitting the application, shall continue to comply with the admissibility conditions referred to in paragraph 1 throughout the period of implementation of the operation.

Or. en

Justification

The beneficiary should only be held accountable before applying for funding and during the implementation of the operation. This measure, included in the previous EMFF, is disproportionate, since it imposes a double sanction.

Amendment 34

Proposal for a regulation Article 12 a (new)

Text proposed by the Commission

Amendment

Article 12a

Eligible operations

A variety of operations identified by the Member States in their programmes may

be supported by the EMFF, provided that they are covered by one or more of the priorities identified in this Regulation.

Or. en

Justification

For legal clarity and certainty for the operators and Member States, the principle according to which "what is not prohibited is allowed" has to be explicitly mentioned in the text of the regulation.

Amendment 35

Proposal for a regulation

Article 13 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the replacement or modernisation of main or ancillary engine, unless provided for in this Regulation;

Or. en

Justification

It should be possible for the EMFF to support those measures under specific conditions (article 16).

Amendment 36

Proposal for a regulation

Article 13 – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) market intervention mechanisms aiming to temporarily or permanently withdraw fishery or aquaculture products from the market with a view to reducing supply in order to prevent price decline or drive up prices; *by extension, storage operations in a logistics chain that would produce the same effects either intentionally or unintentionally;*

(i) market intervention mechanisms aiming to temporarily or permanently withdraw fishery or aquaculture products from the market with a view to reducing supply in order to prevent price decline or drive up prices;

Justification

Fishing is a seasonal activity and its yields can be uncertain; sometimes surpassing market needs. It is therefore necessary for operators to be able to manage surpluses of production by storing part of the production before putting it back for sale when captures decrease. To achieve this, the EMFF must continue to support producer organisations in need for a temporary storage mechanism for fishery products intended for human consumption.

Amendment 37**Proposal for a regulation****Article 13 – paragraph 1 – point j***Text proposed by the Commission*

(j) investments on board fishing vessels necessary to comply with the requirements under Union or national law, including requirements under the Union's obligations in the context of regional fisheries management organisations;

Amendment

(j) investments on board fishing vessels necessary to comply with the requirements under Union or national law, including requirements under the Union's obligations in the context of regional fisheries management organisations. ***This shall not apply where otherwise provided for in this Regulation or if Union or national law leads to substantial costs for the operators.***

Or. en

Justification

Any Union or national legislation should not lead to disproportionate costs for operators. If, however, this was the case, then the EMFF should support such costs.

Amendment 38**Proposal for a regulation****Title 2 – Chapter 2 – title***Text proposed by the Commission*

Priority 1: Fostering sustainable fisheries ***and the conservation of marine biological resources***

Amendment

Priority 1: Fostering sustainable fisheries, ***in order to achieve economic, social and environmental benefits.***

Or. en

Justification

Sustainable fisheries includes the conservation of marine biological resources. Subsequently, the second part of the title is a pleonasm.

Amendment 39

Proposal for a regulation

Article 16 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. *Without prejudice to paragraphs 1 and 2, the EMFF may support the above-mentioned investments in sustainable vessels of an overall length of less than 24 metres, where funds are available, provided that small-scale operators are given priority in the selection process.*

Or. en

Justification

In cases of certain fishing fleets and provided there is availability of funds, a fleet modernisation and renewal strategy should be allowed to sustainable vessels below 24 meters. To be recalled that the EU fleet is 25-30 years old in average. In addition, in view of the IMO Strategy on reduction of GHG emissions from ships which aim to reduce the total annual greenhouse gas emissions by at least 50% by 2050, larger vessels would be required to change their engines to adapt to and comply with this international objective.

Amendment 40

Proposal for a regulation

Article 17 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) the fishing vessel is registered as active and has carried out fishing activities at sea for at least **120** days in each of the last **three** calendar years preceding the year of submission of the application for support;

(c) the fishing vessel is registered as active and has carried out fishing activities at sea for at least **90** days in each of the last **two** calendar years preceding the year of submission of the application for support;

Or. en

Justification

This is the period established in Article 34 of the current EMFF.

Amendment 41

Proposal for a regulation

Article 17 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) fishermen who have worked at sea for at least 90 days per year during the last two calendar years preceding the date of submission of the application for support, on board a Union fishing vessel concerned by the permanent cessation may also benefit from this measure. The fishermen concerned shall effectively cease all fishing activities. The beneficiary shall provide proof of the effective cessation of fishing activities to the competent authority. The compensation shall be refunded on a pro rata temporis basis where the fishermen return to a fishing activity within a period of less than two years from the date of submission of the application for support.

Or. en

Justification

The EMFF Regulation needs to ensure that fishermen would also benefit from this financial support, not just the fishing vessel owner. This was the case in the current EMFF Regulation, Article 34.

Amendment 42

Proposal for a regulation

Article 17 – paragraph 3

Text proposed by the Commission

Amendment

3. The support for the permanent cessation of fishing activities referred to in paragraph 2 shall be implemented by financing not linked to costs, in

deleted

accordance with Articles 46(a) and 89 of Regulation (EU) No [Regulation laying down Common Provisions], and shall be based on:

(a) the fulfilment of conditions, in accordance with Article 46(a)(i) of Regulation (EU) No [Regulation laying down Common Provisions]; and

(b) the achievement of results, in accordance with Article 46(a)(ii) of Regulation (EU) No [Regulation laying down Common Provisions].

The Commission shall be empowered to adopt delegated acts, in accordance with Article 52, laying down the conditions referred to in point (a), which shall relate to the implementation of conservation measures, as referred to in Article 7 of Regulation (EU) No 1380/2013.

Or. en

Justification

This proposal by the Commission would create legal uncertainty which would dissuade Member States from requesting support for this action.

Amendment 43

**Proposal for a regulation
Article 18 – title**

Text proposed by the Commission

Amendment

Extraordinary cessation of fishing activities

Temporary cessation of fishing activities

Or. en

Justification

Support for temporary cessation has played an essential role in improving the state of the stocks, particularly as regards closed seasons, while at the same time partially compensating fishermen for their loss of income.

Amendment 44

Proposal for a regulation

Article 18 – paragraph 1 – introductory part

Text proposed by the Commission

1. The EMFF may support a compensation for the **extraordinary** cessation of fishing activities caused by:

Amendment

1. The EMFF may support a compensation for the **temporary** cessation of fishing activities caused by:

Or. en

Justification

Support for temporary cessation has played an essential role in improving the state of the stocks, particularly as regards closed seasons, while at the same time partially compensating fishermen for their loss of income.

Amendment 45

Proposal for a regulation

Article 18 – paragraph 1 – point a

Text proposed by the Commission

(a) conservation measures, as referred to in Article 7(1), **points (a), (b), (c) and (j)** of Regulation (EU) No 1380/2013, or equivalent conservation measures adopted by regional fisheries management organisations, where applicable to the Union;

Amendment

(a) conservation measures, as referred to in Article 7 of Regulation (EU) No 1380/2013, **including biological recovery periods and excluding TACs and quotas**, or equivalent conservation measures adopted by regional fisheries management organisations, where applicable to the Union;

Or. en

Justification

The current EMFF covers all conservation measures mentioned in Article 7 of the CFP basic regulation, including biological recovery periods and excluding TACs and quotas. This should be maintained under the new EMFF.

Amendment 46

Proposal for a regulation

Article 18 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the interruption ***due to reasons of force majeure*** of the application of a sustainable fisheries partnership agreement or protocol thereto; or

(c) the interruption of the application ***or non-renewal*** of a sustainable fisheries partnership agreement or protocol thereto; or

Or. en

Justification

The non-renewal of a sustainable fisheries partnership agreement could paralyse operators and EMFF should support this cases under temporary cessation. The term force majeure would create legal uncertainty.

Amendment 47

Proposal for a regulation

Article 18 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) natural disasters or environmental incidents, as formally recognised by the competent authorities of the relevant Member State.

(d) natural disasters or environmental incidents ***or accidents at sea during fishing activities***, as formally recognised by the competent authorities of the relevant Member State.

Or. en

Justification

Accidents at sea are eligible under the current EMFF and this measure should be maintained.

Amendment 48

Proposal for a regulation

Article 18 – paragraph 2

Text proposed by the Commission

Amendment

2. The support referred to in paragraph 1 may only be granted where:

deleted

(a) the commercial activities of the vessel concerned are stopped during at least 90 consecutive days; and

(b) the economic losses resulting from the cessation amount to more than 30% of the annual turnover of the business concerned, calculated on the basis of the average turnover of that business over the preceding three calendar years.

Or. en

Justification

The measure as proposed is too prescriptive and rigid. The Commission proposes two new requirements that did not exist in the previous EMFF Regulation. The measure, as proposed, does not provide for sufficient flexibility in order to apply for this compensation. The new EMFF should move away from strict eligibility criteria and focus on reaching objectives and targets.

Amendment 49

Proposal for a regulation

Article 18 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) owners of fishing vessels which are registered as active and which have carried out fishing activities at sea for at least 120 days **in each of** the last **three** calendar years preceding the year of submission of the application for support; or

Amendment

(a) owners of fishing vessels which are registered as active and which have carried out fishing activities at sea for at least 120 days **during** the last **two** calendar years preceding the year of submission of the application for support; or

Or. en

Justification

This amendment aims at ensuring coherence with the wording of the current legislation.

Amendment 50

Proposal for a regulation

Article 18 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) fishers who have worked at sea for at least 120 days **in each of** the last **three** calendar years preceding the year of submission of the application for support

Amendment

(b) fishers who have worked at sea for at least 120 days **during** the last **two** calendar years preceding the year of submission of the application for support

on board a Union fishing vessel concerned by the *extraordinary* cessation.

on board a Union fishing vessel concerned by the *temporary* cessation.

Or. en

Justification

This amendment aims at ensuring coherence with the wording of the current legislation.

Amendment 51

Proposal for a regulation

Article 19 – paragraph 2 – point a

Text proposed by the Commission

(a) the purchase and installation on vessels of the necessary components for *compulsory* vessel tracking and electronic reporting systems used for control purposes, only in the case of small-scale coastal fishing vessels;

Amendment

(a) the purchase and installation on vessels of the necessary components for vessel tracking and electronic reporting systems used for control purposes, only in the case of small-scale coastal fishing vessels;

Or. en

Justification

The support should not depend on whether the measure is compulsory or not.

Amendment 52

Proposal for a regulation

Article 19 – paragraph 2 – point b

Text proposed by the Commission

(b) the purchase and installation on vessels of the necessary components for *compulsory* remote electronic monitoring systems used for controlling the implementation of the landing obligation referred to in Article 15 of Regulation (EU) No 1380/2013;

Amendment

(b) the purchase and installation on vessels of the necessary components for remote electronic monitoring systems used for controlling the implementation of the landing obligation referred to in Article 15 of Regulation (EU) No 1380/2013;

Or. en

Justification

The support should not depend on whether the measure is compulsory or not.

Amendment 53

Proposal for a regulation

Article 19 – paragraph 2 – point c

Text proposed by the Commission

(c) the purchase and installation on vessels of devices for **compulsory** continuous measurement and recording of propulsive engine power.

Amendment

(c) the purchase and installation on vessels of devices for continuous measurement and recording of propulsive engine power.

Or. en

Justification

The support should not depend on whether the measure is compulsory or not.

Amendment 54

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

1. The EMFF may support the collection, management and use of data for fisheries management and scientific purposes, as provided for in Article 25(1) and (2) and Article 27 of Regulation (EU) No 1380/2013 and further specified in Regulation (EU) No 2017/1004, on the basis of the national work plans referred to in Article 6 of Regulation (EU) No 2017/1004.

Amendment

1. The EMFF may support the collection, management and use of data for fisheries **and aquaculture** management and scientific purposes, as provided for in Article 25(1) and (2) and Article 27 of Regulation (EU) No 1380/2013 and further specified in Regulation (EU) No 2017/1004, on the basis of the national work plans referred to in Article 6 of Regulation (EU) No 2017/1004.

Or. en

Justification

EMFF should also support data collection in aquaculture.

Amendment 55

Proposal for a regulation

Article 21

Text proposed by the Commission

Amendment

Article 21

deleted

Compensation for additional costs in the outermost regions for fishery and aquaculture products

- 1. The EMFF may support the compensation of additional costs incurred by beneficiaries in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions referred to in Article 6(2).***
- 2. Each Member State concerned shall determine, in line with the criteria laid down in accordance with paragraph 7, for the regions referred to in paragraph 1, the list of fishery and aquaculture products and the quantity of those products eligible for compensation.***
- 3. When establishing the list and the quantities referred to in paragraph 2, Member States shall take into account all relevant factors, in particular the need to ensure that the compensation is compatible with the rules of the CFP.***
- 4. The compensation shall not be granted for fishery and aquaculture products:***
 - (a) caught by third country vessels, with the exception of fishing vessels which fly the flag of Venezuela and operate in Union waters, in accordance with Council Decision (EU) 2015/1565³¹ ;***
 - (b) caught by Union fishing vessels that are not registered in a port of one of the regions referred to in paragraph 1;***
 - (c) imported from third countries.***
- 5. Point (b) of paragraph 4 shall not apply if the existing capacity of the***

processing industry in the outermost region concerned exceeds the quantity of raw material supplied.

6. *The compensation paid to the beneficiaries carrying out activities referred to in paragraph 1 in the outermost regions or owning a vessel registered in a port of these regions shall, in order to avoid overcompensation, take into account:*

(a) for each fishery or aquaculture product or category of products, the additional costs resulting from the specific handicaps of the regions concerned; and

(b) any other type of public intervention affecting the level of additional costs.

7. *The Commission shall be empowered to adopt delegated acts, in accordance with Article 52, laying down the criteria for the calculation of the additional costs resulting from the specific handicaps of the regions concerned.*

³¹ *Council Decision (EU) 2015/1565 of 14 September 2015 on the approval, on behalf of the European Union, of the Declaration on the granting of fishing opportunities in EU waters to fishing vessels flying the flag of the Bolivarian Republic of Venezuela in the exclusive economic zone off the coast of French Guiana (OJ L 244, 14.09.2015, p. 55).*

Or. en

Justification

This provision is moved to chapter V a (new) dedicated to the outermost regions.

Amendment 56

Proposal for a regulation

Article 22 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) the construction, installation or modernisation of static or movable facilities intended to protect and enhance marine fauna and flora, including their scientific preparation and assessment and, in the case of the artisanal fisheries in the outermost regions, of traditional anchored fish aggregating devices.

Or. en

Justification

This amendment aims at reintroducing Article 40 (1b) of the current EMFF and to clarify its scope by mentioning explicitly the anchored fish-aggregating devices for outermost regions. These devices are essential for the small-scale fisheries in these regions.

Amendment 57

Proposal for a regulation Title 2 – chapter 3 – title

Text proposed by the Commission

Amendment

Priority 2: Contributing to food security in the Union ***through competitive and sustainable aquaculture and markets***

Priority 2: Contributing to food security in the Union

Or. en

Justification

One of the priorities of the proposed EMFF by the Commission is the contribution to food security in the Union. Both fisheries and aquaculture, as well as markets, contribute to food security in Europe and this should be recognised and further promoted. The EU must provide the conditions for economically viable and competitive fishing and aquaculture sectors and markets under this priority.

Amendment 58

Proposal for a regulation Article 23 – paragraph 3

Text proposed by the Commission

3. Productive aquaculture investments under this Article may **only** be supported through the financial instruments provided for in Article 52 of Regulation (EU) No [Regulation laying down Common Provisions] and through InvestEU, in accordance Article 10 of that Regulation.

Amendment

3. Productive aquaculture investments under this Article may be supported **through grants and** through the financial instruments provided for in Article 52 of Regulation (EU) No [Regulation laying down Common Provisions] and through InvestEU, in accordance Article 10 of that Regulation.

Or. en

Justification

Support through grants should not be excluded, as small and medium enterprises cannot easily have access to financial instruments.

Amendment 59

**Proposal for a regulation
Article 23 a (new)**

Text proposed by the Commission

Amendment

Article 23a

***Aquaculture Statistical Information
Network***

1. The EMFF may support the collection, management and use of data for the management of aquaculture as provided for in points (a) and (e) of Article 34(1) and in Article 34(5) and point (d) of Article 35(1) of Regulation (EU) No 1380/2013 for the establishment of the Aquaculture Statistical Information Network (ASIN-RISA) and national work plans for its implementation.

2. By way of derogation from Article 2, the support referred to in paragraph 1 of this Article may also be granted for operations outside the territory of the Union.

3. The Commission may adopt implementing acts laying down rules concerning the procedures, format and

timetables for the creation of the ASIN-RISA 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 may adopt implementing acts approving or amending the national work plans referred to in paragraph 1 by 31 December of the year preceding the year from which the work plan is to apply. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 53(2).

Or. en

Justification

The collection, management and use of data are essential for the management of aquaculture and should be supported by the EMFF.

Amendment 60

Proposal for a regulation

Article 24 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Regarding the preparation and implementation of production and marketing plans referred to in Article 28 of Regulation (EU) No 1379/2013, the Member State concerned may grant an advance of 50 % of the financial support after approval of the production and marketing plan in accordance with Article 28(3) of Regulation (EU) No 1379/2013.

Or. en

Justification

This provision is included in the current EMFF (Article 66). It is important to maintain common rules for its implementation in order to avoid distortion of competition between Member States.

Amendment 61

Proposal for a regulation Article 24 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Support granted per producer organisation per year under this Article shall not exceed 3 % of the average annual value of the production placed on the market by that producer organisation during the preceding three calendar years. For any newly recognised producer organisation, that support shall not exceed 3 % of the average annual value of the production placed on the market by the members of that organisation during the preceding three calendar years.

Or. en

Justification

This provision is included in the current EMFF (Article 66). It is important to maintain common rules for its implementation in order to avoid distortion of competition between Member States.

Amendment 62

Proposal for a regulation Article 24 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1c. The support referred to in paragraph 2 shall only be granted to producer organisations and associations of producers organisations.

Or. en

Justification

This provision is included in the current EMFF (Article 66). It is important to maintain common rules for its implementation in order to avoid distortion of competition between Member States.

Amendment 63

Proposal for a regulation Article 25 – paragraph 2

Text proposed by the Commission

2. Support under this Article **shall only** be granted through the financial instruments provided for in Article 52 of Regulation (EU) No [Regulation laying down Common Provisions] and through InvestEU, in accordance Article 10 of that Regulation.

Amendment

2. Support under this Article **may** be granted **through grants and** through the financial instruments provided for in Article 52 of Regulation (EU) No [Regulation laying down Common Provisions] and through InvestEU, in accordance Article 10 of that Regulation.

Or. en

Justification

Support through grants should not be excluded, as small and medium enterprises cannot easily have access to financial instruments.

Amendment 64

Proposal for a regulation Article 25 a (new)

Text proposed by the Commission

Amendment

Article 25 a

Storage aid

1. The EMFF may support compensation to recognised producer organisations and associations of producers organisations which store fishery products listed in Annex II to Regulation (EU) No 1379/2013, provided that those products are stored in accordance with Articles 30 and 31 of that Regulation and subject to the following conditions:

(a) the amount of the storage aid does not exceed the amount of the technical and financial costs of the actions required for the stabilisation and storage of the products in question;

(b) the quantities eligible for storage aid do not exceed 15 % of the annual

quantities of the products concerned put up for sale by the producer organisation;

(c) the financial support per year does not exceed 2 % of the average annual value of the production placed on the market by the members of the producer organisation in the period 2016-2018. For the purposes of this point, where a member of the producer organisation did not have any production placed on the market in the period 2016 to 2018, the average annual value of production placed on the market in the first three years of production of that member shall be taken into account.

2. The support referred to in paragraph 1 shall only be granted once the products are released for human consumption.

3. Member States shall fix the amount of the technical and financial costs applicable in their territories as follows:

(a) technical costs shall be calculated each year on the basis of direct costs relating to the actions required in order to stabilise and store the products in question;

(b) financial costs shall be calculated each year using the interest rate set annually in each Member State; those technical and financial costs shall be made publicly available.

4. Member States shall carry out controls to ensure that the products benefiting from storage aid fulfil the conditions laid down in this Article. For the purposes of such controls, beneficiaries of storage aid shall keep stock records for each category of products entered into storage and later reintroduced onto the market for human consumption.

Or. en

Justification

Fishing is a seasonal activity and its yields can be uncertain; sometimes surpassing market needs. It is therefore necessary for operators to be able to manage surpluses of production by

storing part of the production before putting it back for sale when captures decrease. To achieve this, the EMFF must continue to support producer organisations in need for a temporary storage mechanism for fishery products intended for human consumption.

Amendment 65

Proposal for a regulation Chapter 5 a (new) – title

Text proposed by the Commission

Amendment

CHAPTER Va Outermost regions

Or. en

Amendment 66

Proposal for a regulation Article 29 a (new)

Text proposed by the Commission

Amendment

Article 29a

Budgetary resources under shared management

1. For operations located in the outermost regions, each Member State concerned shall allocate, within its Union financial support set out in Annex V, at least:

(a) EUR 102 000 000 for the Azores and Madeira;

(b) EUR 86 100 000 for the Canary Islands;

(c) EUR 131 000 000 for Guadeloupe, French Guiana, Martinique, Mayotte, Réunion and Saint-Martin.

2. Each Member State shall determine the part of the financial envelopes established in paragraph 1, earmarked for the compensation referred to in Article 21.

3. By way of derogation from Article 9(8) of this Regulation and Article 19(2) of

Regulation (EU) No [Regulation laying down Common Provisions], and in order to take account of changing conditions, Member States may adjust annually the list and quantities of eligible fishery products and the level of the compensation referred to in Article 29d, provided that the amounts referred to in paragraphs 1 and 2 of this Article are respected.

Adjustments shall be possible only to the extent that they complement the compensation plans of another region of the same Member State. The Member State shall inform the Commission about the adjustments in advance.

Or. en

Justification

This provision is included in the Commission proposal (article 6, paragraph 2). Concerning the amendment to the budget for the Canary islands, this is in order to take into account the programming under the current EMFF and the real needs today. Finally, nothing justifies capping the compensation of the additional costs.

Amendment 67

Proposal for a regulation Article 29 b (new)

Text proposed by the Commission

Amendment

Article 29b

Action plan

Member States concerned shall prepare as part of their programme an action plan for each of their outermost regions, which shall set out:

(a) a strategy for the sustainable exploitation of fisheries and the development of sustainable blue economy sectors;

(b) a description of the main actions envisaged and the corresponding financial means, including:

- i) the structural support to the fishery and aquaculture sector under Title II;*
- ii) the compensation for additional costs referred to in Article 29d, including the amounts of additional costs calculated by the Member State concerned and the amounts of aid estimated as compensation;*
- iii) any other investment in the sustainable blue economy necessary to achieve a sustainable coastal development.*

Or. en

Justification

This provision exists already in the Commission proposal - article 9(3)(b). On the addition in point (ii): compensation of additional costs have to be approved ex ante so as to ensure financial and legal certainty for the beneficiaries in the course of their daily operations.

Amendment 68

Proposal for a regulation Article 29 c (new)

Text proposed by the Commission

Amendment

Article 29c

Renewal of small-scale fleets and associated measures

1. Without prejudice to Article 16, the EMFF may support in the outermost regions:

(a) the renewal of small-scale fishing fleets which land all their catches in ports in the outermost regions, so as to increase human safety, comply with Union hygiene standards, fight IUU fishing and achieve greater environmental efficiency. That fishing fleet renewal shall remain within the limits of authorised capacity ceilings, must be restricted to the replacement of an old vessel by a new one, and shall allow sustainable fishing and the reaching of the Maximum Sustainable

Yield (MSY) objective;

(b) the partial renovation of the structural wooden deck of a fishing vessel over 40 years old, when this is necessary for reasons of improving maritime safety, according to objective technical criteria of the naval architecture;

(c) the establishment and modernisation of shipyards and shipbuilding and repair workshops located in the fishing ports of the outermost regions and whose main activity is directed at the small-scale, artisanal and traditional fishing fleet;

(d) the study of the stability of an artisanal fishing vessel over 40 years of age, according to the recent technical criteria of naval architecture that are applicable to the new construction of fishing vessels;

(e) the study of technical guidelines for the design of helmets or propulsion equipment, with respect to the different typologies of artisanal and traditional fishing vessels based in ports of the outermost regions, which help the designers to optimise the design and promotion of new constructions and of the propelling equipment, to improve the safety of the crew, reduce polluting or greenhouse emissions and increase the energy efficiency of artisanal and traditional fishing vessels.

Or. en

Justification

Public funds should be allocated to the renewal of artisanal and traditional fishing, where the resources allow it. The subsequent measures described in points (b), (c), (d) and (e) are complementary.

Amendment 69

Proposal for a regulation Article 29 d (new)

Article 29d

Compensation for additional costs

1. The EMFF may support the compensation of additional costs incurred by beneficiaries in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions.

2. Each Member State concerned shall determine, in line with the criteria laid down in accordance with paragraph 7, for the regions referred to in paragraph 1, the list of fishery and aquaculture products and the quantity of those products eligible for compensation.

3. When establishing the list and the quantities referred to in paragraph 2, Member States shall take into account all relevant factors, in particular the need to ensure that the compensation is compatible with the rules of the CFP.

4. The compensation shall not be granted for fishery and aquaculture products:

(a) caught by third country vessels, with the exception of fishing vessels which fly the flag of Venezuela and operate in Union waters, in accordance with Council Decision (EU)2015/1565^{1a};

(b) caught by Union fishing vessels that are not registered in a port of one of the regions referred to in paragraph 1;

(c) imported from third countries.

5. Point (b) of paragraph 4 shall not apply if the existing capacity of the processing industry in the outermost region concerned exceeds the quantity of raw material supplied.

6. The compensation paid to the beneficiaries carrying out activities referred to in paragraph 1 in the outermost regions or owning vessel registered in a port of these regions shall,

in order to avoid overcompensation, take into account:

(a) for each fishery or aquaculture product or category of products, the additional costs resulting from the specific handicaps of the regions concerned; and

(b) any other type of public intervention affecting the level of additional costs.

7. The Commission shall be empowered to adopt delegated acts, in accordance with Article 52, laying down the criteria for the calculation of the additional costs resulting from the specific handicaps of the regions concerned.

^{1a} Council Decision (EU) 2015/1565 of 14 September 2015 on the approval, on behalf of the European Union, of the Declaration on the granting of fishing opportunities in EU waters to fishing vessels flying the flag of the Bolivarian Republic of Venezuela in the exclusive economic zone off the coast of French Guiana (OJ L 244, 14.09.2015, p.55).

Or. en

Justification

This provision is included in the Commission proposal (Article 21). Lessons must be drawn from the implementation of the compensation of additional costs for the period 2014-2020 so that beneficiaries of this essential scheme are fairly compensated at the level of the additional costs they incur.

Amendment 70

Proposal for a regulation Article 29 e (new)

Text proposed by the Commission

Amendment

Article 29e

State aid

1. For the fishery and aquaculture products, listed in Annex I to the TFEU,

to which Articles 107, 108 and 109 thereof apply, the Commission may authorise, in accordance with Article 108 TFEU, operating aid in the outermost regions referred to in Article 349 TFEU within the sectors producing, processing and marketing fishery and aquaculture products, with a view to alleviating the specific constraints in those regions as a result of their isolation, insularity and extreme remoteness.

2. Member States may grant additional financing for the implementation of the compensation plans referred to in Article 29d. In such cases, Member States shall notify the Commission of the State aid which the Commission may approve in accordance with this Regulation as part of those plans. State aid thus notified shall be regarded as notified within the meaning of the first sentence of Article 108(3) TFEU.

Or. en

Justification

Article 349 of the Treaty allows for the adoption of specific measures for the ORs. These measures may include fisheries policies, State aids and conditions of access to structural funds.

Amendment 71

Proposal for a regulation Article 29 f (new)

Text proposed by the Commission

Amendment

Article 29 f

Review - POSEI

The Commission shall present a report on the implementation of the provisions of this Chapter before the end of 2023 and, if necessary, come forward with appropriate proposals. The Commission shall evaluate the possibility to create a Programme of Options Specifically Relating to

Remoteness and Insularity (POSEI) for maritime and fisheries issues.

Or. en

Justification

An instrument specifically dedicated to supporting fisheries in the ORs, along the lines of the POSEI scheme for agriculture in these regions should be established in long term. To be noted that the Council Decision 98/687/EEC providing for the creation of such programme is applicable to all economic sectors.

Amendment 72

**Proposal for a regulation
Article 37 – paragraph 2**

Text proposed by the Commission

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 .

Amendment

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 complement the indicators where considered necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework .

Or. en

Justification

Amendments to the EMFF and its annexes should only be introduced through the ordinary procedure (codecision).

Amendment 73

**Proposal for a regulation
Article 42 – paragraph 1**

Text proposed by the Commission

The EMFF shall support the development and dissemination of market intelligence for fishery and aquaculture products by the

Amendment

The EMFF shall support the development and dissemination of market intelligence for fishery and aquaculture products by the

Commission in accordance with Article 42 of Regulation (EU) No 1379/2013.

Commission in accordance with Article 42 of Regulation (EU) No 1379/2013, *namely by the creation of an Aquaculture Statistical Information Network (ASIN-RISA)*.

Or. en

Justification

The creation of a Statistical Information Network for aquaculture is very important.

Amendment 74

**Proposal for a regulation
Annex I – table – row 1 – column 2**

Text proposed by the Commission

Evolution of volume of landings stemming from stocks assessed at MSY

Evolution in profitability of the Union fishing fleet

Surface (ha) of Natura 2000 sites, and other MPAs under the MSFD, covered by protection, maintenance and restoration measures

Percentage of fishing vessels equipped with electronic position and catch reporting device

Amendment

Evolution of volume of landings stemming from stocks assessed at MSY

Evolution in profitability of the Union fishing fleet *and employment*

Significant positive results in Natura 2000 sites, and other MPAs under the MSFD, covered by protection, maintenance and restoration measures

Percentage of fishing vessels equipped with electronic position and catch reporting device

Or. en

Amendment 75

**Proposal for a regulation
Annex I – table – row 3 – column 1**

Text proposed by the Commission

Contributing to food security in the Union through competitive and sustainable aquaculture and markets

Amendment

Contributing to food security in the Union through competitive and sustainable *fisheries*, aquaculture and markets

Or. en

Amendment 76

Proposal for a regulation Annex I – table – row 3 – column 2

Text proposed by the Commission

Evolution in the value and volume of
aquaculture production in the Union

Amendment

Evolution in the value and volume of
aquaculture production in the Union

***Evolution in profitability of the Union
fishing fleets and employment***

Evolution in the value and volume of
landings

Or. en

Amendment 77

Proposal for a regulation Annex II – table – heading – column 4 – footnote 1 a (new)

Text proposed by the Commission

MAXIMUM CO-FINANCING RATE
(% of the eligible public expenditure)

Amendment

MAXIMUM CO-FINANCING RATE
(% of the eligible public expenditure) ^{1a}

***^{1a} For the operations located in the
outermost regions the maximum co-
financing rate should be 85 %.***

Or. en

Amendment 78

Proposal for a regulation Annex II – table – row 8

Text proposed by the Commission

***1 Article 21
Compensation***

1.4 100%

for additional costs in the outermost regions for fishery and aquaculture products

Amendment

deleted

Or. en

Amendment 79

Proposal for a regulation Annex II – table – row 10

Text proposed by the Commission

2	Article 23 Aquaculture	2.1	75%
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Amendment

2	Article 23 Aquaculture Fisheries	2.1 2.1	75% 75%
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Or. en

Amendment 80

Proposal for a regulation Annex II – table – row 10 a (new)

Text proposed by the Commission

Amendment

2	Article 23 a Aquaculture Statistical	X	75%
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Amendment 81

**Proposal for a regulation
Annex II – table – row 12 a (new)**

Text proposed by the Commission

Amendment

2	Article 25 a	X	75%
	Storage aid		

Amendment 82

**Proposal for a regulation
Annex II a (new)**

Text proposed by the Commission

Amendment

ANNEX II a

OUTERMOST REGIONS

Area of Support

MAXIMUM CO-FINANCING RATE
(% of the eligible public expenditure)

Article 29 c)

50%

**Renewal of artisanal and traditional fleets
and associated measures**

Article 29 d)

100%

**Compensation for additional costs for
fisheries and aquaculture products**

Amendment 83

Proposal for a regulation
Annex III – table – row 1

Text proposed by the Commission

1	Article 16	30%
	Investments in <i>small-scale coastal</i> fishing vessels	

Amendment

1	Article 16	50%
	Investments in <i>sustainable</i> fishing vessels	

EXPLANATORY STATEMENT

BACKGROUND OF THE COMMISSION PROPOSAL

The purpose of the Commission's proposal is the establishment of the European Maritime and Fisheries Fund (EMFF) for the 2021-2027 period. That fund aims to target funding from the Union budget to support the Common Fisheries Policy (CFP), the Union's maritime policy and the Union's international commitments in the field of ocean governance, especially in the context of the 2030 Agenda for Sustainable Development.

Such funding is a key enabler for sustainable fisheries and the conservation of marine biological resources, for food security through the supply of seafood products, for the growth of a sustainable blue economy and for healthy, safe, secure, clean and sustainably managed seas and oceans.

As a global ocean actor and the world's fifth largest producer of seafood, the Union has a strong responsibility to protect, conserve and sustainably use the oceans and their resources. Preserving seas and oceans is indeed vital for a rapidly growing world population. It is also of socio-economic interest for the Union: a sustainable blue economy boosts investments, jobs and growth, fosters research and innovation and contributes to energy security through ocean energy. Moreover, safe and secure seas and oceans are essential for an efficient border control and for the global fight against maritime crime, thereby addressing citizens' security concerns. These priorities require Union financial support through the EMFF.

POSITION OF THE RAPPORTEUR

A budget that meets the needs of the sector

The new fisheries fund will cover the budgetary period 2021-2027 with a financial envelope of €6.14 billion, according to the European Commission's proposal for the next Multiannual Financial Framework. This represents a 5% drop compared with the current EMFF budget. At the same time, the Commission proposes to reduce the funds for shared management in order to allocate more resources to direct and indirect management

The rapporteur would like to emphasize the importance of the European maritime, fisheries and aquaculture sector, which involves more than 85 000 vessels, employs over 340 000 people throughout the whole chain, and produces more than 6 000 000 tonnes of high quality and nutritionally rich fish and seafood from fishing and aquaculture. The socio-economic impact of this sector is huge in many coastal regions, which are highly dependent on it and where it has strong ties to the local culture and customs.

Yet, there are many problems arising from the implementation of the CFP, such as eliminating discards or achieving maximum sustainable yield (MSY), in addition to those resulting from Brexit and the new challenges that arise daily on the market and in connection with the global production of marine proteins.

Therefore, it is important having in place a specific, substantial, and accessible to everybody fisheries fund. It is equally important to safeguard the budget needed to deal with these

problems and challenges affecting the maritime and fisheries sector and taking into account the already very short EU budgetary allocation to this policy.

The current EMFF accounts for only 0.6 % of the total 2014-2020 EU general budget. Any reduction of funds in fisheries has almost no repercussions to the EU budget but it can have substantial consequences for fishermen and coastal regions.

Brexit must not be used as an excuse to reduce funding in fisheries, given the important challenges for environmental protection, production and trade created by this process.

Flexibility and simplification of eligible measures

In general terms, the Commission approach to introduce elements such as flexibility in the elaboration of national programs and administrative simplification goes in the right direction. I particularly welcome the possibility to offer solutions tailored to different specificities and challenges in the EU regions by avoiding a "one size fits all" approach. However doubts remain about the final results of such an approach.

The proposal seems to be based on the principle of allowing all measures that are not explicitly prohibited, although such a principle is not explicit in the text of the regulation, which may lead to confusion.

Worse, what makes the reading even more unclear is that the Commission proposes to fund a variety of measures, that are not specified in the text, with the condition that are covered by the "areas of support" identified in the future regulation under each "priority" (recital 11). But, for example, under priority 1 "sustainable fisheries", the only "areas of support" include: management of fisheries and fishing fleets (focusing on permanent cessation); extraordinary cessation of fishing activities; control and enforcement; data collection; compensation regime in the Outermost regions; protection and restoration of biodiversity and ecosystems. The question is then whether within these "areas of support" funding could be requested, for example, for certain measures financed under the current EMFF, such as: innovation; advisory services; partnership among fishers and scientists; promotion of human capital; diversification; young fishermen; health and safety; adverse climate events; and lot more.

Furthermore, the flexibility of the future fund lies also in the way Member States draw their programs. Each Member State will set strategic priorities and objectives for the sustainable management of fisheries, subject to a timetable, allowing it to design the measures it deems appropriate, but with the obligation to achieve the expected results, if it wishes to receive EU funding. The Commission will carry out an annual performance review, that could lead to potential corrective actions.

While this might sound logical for good spending of public money, the conditions imposed by both the EMFF and the Common Provisions Regulation proposals are draconian and the rules are far too demanding for public administrations. This would not only certainly discourage operators to request for funds but it would scare administrations to elaborate ambitious programs.

To be noted that the Fisheries Committee does not have a say in the final text of the Common Provisions Regulation.

There is therefore the risk that we could face the same problem of non-absorption of funds encountered in the current financial period. Today, more than four years after the adoption of the current EMFF, only 11% of the fund has been spent by the Member States, mainly due to complex procedures and scarce cooperation by the Commission. Fishermen, particularly small-scale, are frustrated and discouraged by the requirements needed to receive funding.

Consequently, more clarity and legal certainty for operators and administrations is needed.

Specific areas or support

The new FEMP will finance temporary and definitive cessations (scrapping), measures requested by the sector. However, the proposal is extremely demanding in terms of conditions.

The future fund must help the fisheries sector carry out a restructuring process that has been rendered necessary for a variety of reasons, and this process may include measures such as the replacement of polluting engines and modernisation of unsafe vessels.

Although, in view of the socioeconomic importance of fisheries activity in the coastal regions of the EU and the small-scale coastal, artisanal and traditional fishing, the EMFF must attach particular importance to them, funding for the restructuring process should be available for the whole fleet.

The rapporteur does not agree with the prohibition of intervention mechanisms such as storage aid, which would prevent the possibility to react in case of extreme situations of market imbalances.

Another element that the rapporteur finds problematic is that all the aquaculture productive investments and investments on processing would only be financed by means of financial instruments, which, additionally, will be under the umbrella of a new Common Provisions Regulation. Although tailor-made financial instruments would be available to finance productive investments in the blue economy, possibility should also be given to resort to direct aid for certain actions.

The specific case of Outermost regions

The European Commission proposes new financial envelopes for Outermost regions (ORs) which would represent the minimum amount that should be dedicated to them by the Member States concerned. Within those envelopes, the amount dedicated to compensation of additional costs would be capped to a maximum of 50 per cent of the each envelope. This results in a reduction of 32,7 per cent and 24,2 per cent of the funds allocated to Canary island and France, respectively, for compensations in the current EMFF.

The rapporteur wonders which the criterion for the Commission is to propose such a capping. This is a very rigid condition. ORs should have the discretion and the necessary flexibility to allocate funds according to their needs. To be noted that the compensation of additional costs encourages operators to produce and put to the market fishery and aquaculture products in regions where low-cost and low-quality products inundate their markets. The Commission

proposal is, thus, contrary to the effort to ensure self-sufficiency. To be noted that the absorption of funds for this measure is, in general, 100 %.

The Commission proposal does not allow for the renewal of the artisanal and traditional fleets in the ORs. The rapporteur is of the view that this should be possible where resources allow it. It is unfair that the EU defends the right for developing countries and small islands to renew their fleets in the same sea basins where certain ORs are situated and, at the same time, to refuse the same right to its own territories.

To be noted that, in some ORs, the fleet today is composed by wooden canoes without engine and abundant (mostly pelagic) fishery resources off the coast remain unexploited. In fact, the ORs began to be incorporated into the CFP when the limitation on fishing effort was introduced in the 1990s and they did not apply early enough for the renewal of their fleets. In the meantime, this possibility was prohibited.

Another important element regarding ORs is the need to establish, in long term, an instrument specifically dedicated to supporting fisheries in those regions, along the lines of the POSEI scheme (Programmes of Options Specifically Relating to Remoteness and Insularity) for agriculture. To be noted that the Council decision in 1989 providing for the creation of those programmes is applicable to all economic sectors.

A new element of the Commission's proposal is that each OR has to present a detailed strategic action plan, which of course has a sense, but, on the other hand, it might lead to unnecessary burden and refusal by the Commission to allocate money if the strict conditions imposed are not met. So, actions plans might be an opportunity, but they can turn to be a constraint in the end.

Also the derogation for a simplified procedure of granting operating State aid to ORs, which exists in the current EMFF and is based in the agricultural POSEI model, is missing.

Finally, the rapporteur would like to clarify that the financing of anchored FADs (fishing aggregated devices), around which artisanal and traditional fishermen fish with lines - a perfectly sustainable tool - which was possible under the current EMFF remains possible, as it is not expressly forbidden.

Aquaculture, processing and markets

The EMFF should boost the promotion and the sustainable development of aquaculture. Difficult access to space and burdensome licensing procedures remain in place in some Member States. This makes it difficult for the sector to improve the image and competitiveness of farmed products. Support should be allowed, through grants for productive investments, innovation, acquisition of professional skills, improvement of working conditions, compensatory measures providing critical land and nature management services, with the possibility to also allow financial instruments in the case of productive investments.

Continued support should also be given to the processing and marketing industry in order to boost its competitiveness.

Conclusions

The principles and objectives proposed for the new EMFF for the period 2021-2027 are

laudable. However, there are doubts about the apparent flexibility as well as for the budgetary allocation. The challenges that the EU seeks to achieve globally in fisheries and maritime affairs will not be achieved with less budget.