

**Draft Minutes**

**Meeting of the Expert group on the European Maritime and Fisheries Fund (EMFF)**

**9 April, 2019, Brussels**

**1. Approval of the agenda and of the minutes of previous meeting**

The agenda and the minutes were approved.

With a view of the following meetings, EE requested an earlier timing for the agenda point on explanatory fiches on post-2020 EMFF.

**2. Nature of the meeting**

The meeting was not public but webstreaming was arranged within Commission Services including JRC-Ispra.

**3. List of points discussed**

**3.1. Report on employment in the EU living resources sectors**

COM (M. Peña, MARE A4) presented the latest information on employment in the EU living resources sector. In most of the Member States a decline of employment experienced that affects mainly the fishing sector while aquaculture and processing is rebounding. Moreover, 25% of fishers will reach the age of retirement in the next decade. At the end, he called attention to the DCF data call of 2019 that is also to focus on social variables.

No remarks were made by experts.

**3.2. Presentation of good practice by Member States**

FI (T. Halonen) presented the Finnish approach to implementing innovation projects under the current EMFF. He highlighted the importance of creating networks already in the application and selection phase of the operation as well as of enhancing public-private partnerships to make the most out of the available public financial resources. He also informed the experts that an external evaluation focusing on the financing model and the steering structures as well as on the impact and the functioning of the innovation programmes selected is under preparation that will deliver its result by mid-2019.

Experts (NL and DK) were interested to have more details on the selection process as well as on the setup with public and private partners.

**3.3. FAME**

Presentation from FAME focused on four elements:

- *Preliminary analysis of latest Infosys data provision*

FAME presented the initial analysis on the operation level data as of end of 2018 provided by Member States by 31 March. The quality of reports improved significantly and data shows substantial progress in the implementation of the programmes.

FAME will send error reports to the concerned MAs in April-May 2019. Managing Authorities should subsequently re-submit their reports in the very few cases where substantial errors are found.

- Needs assessment

FAME provided information on its needs assessment task due this year. The main objective of the exercise is to ensure that the needs of the stakeholders are understood and that the activities of FAME can be targeted towards fulfilling these needs.

The anticipated needs are to assist DG MARE, Managing Authorities and the Member States by enhancing overall monitoring and evaluation capacity and developing the monitoring and evaluation framework for the next period.

The needs assessment will consist of the following steps:

- Survey with the FAME geographic experts (May-June);
- Identification of best practices for SWOT and target setting (June-July);
- Piloting with one or two Managing Authorities (June-July), and;
- Workshops with the Managing Authorities (September-December).

- Stories

FAME is required to present 40 stories annually. These are to demonstrate the added value of the EMFF and the progress in the implementation of the CFP. The process leading to the identification of a good story as well as the benefits for the Managing Authority were presented. Future contribution and co-operation of experts, Managing Authorities is appreciated.

No remarks were made by experts.

- Validation of result indicators

FAME provided a short explanation to their working paper on validation of result indicators as required by fields 23 and 24 of the data provision template. In Particular, the three levels of validation (formal correctness, plausibility, in-depth validation) were highlighted. Experts welcomed the working paper and the presentation.

### **3.4. Explanatory fishes on post-2020 EMFF**

- Admissibility

COM (P. Colson, MARE D3) presented the explanatory fiche putting an emphasis on ensuring continuity and simplification.

Several expert (EE, FR PT) raised legal concerns with regard to the use of terms of 'eligibility' and 'admissibility'.

EE mentioned that the reference to Article 3 of Directive 2017/1371/EU as regards the definition of 'fraud' interferes into national level criminal jurisdiction.

Numerous experts (EE, DK, LV) complained about the obligation concerning operators involved into IUU in the Union IUU vessel list or in third countries and the difficulties of checking this.

A number of experts (NL, FR, PT) proposed to delete the obligation of the applicant of providing a signed statement claiming that the verification of this document is only an additional administrative burden but does not provide added value to the process.

Experts from ES and PT complained that the 5-year period of compliance after the final payment to the operation is too long and is a disincentive to the operators to use the EMFF. Therefore, this period should be decreased to 3 years. ES claimed for the introduction of more flexibility in applicable rules.

DK inquired about the obligations towards final recipients of financial instruments.

DK also raised a case that is not covered currently by the delegated act, namely when one vessel is owned by multiple operators but the non-compliance committed is only linked to one operator.

FR raised that the environmental offences are not linked to the CFP, therefore this provision cannot be justified by the provisions of the CFP Regulation.

COM in its reply emphasised that the intention is to provide continuity as much as possible, therefore the Commission's proposal is almost the same as in the current period as it was agreed by the co-legislators. As regards the reference to the Directive on the fight against fraud, it is only the definition of the term that is referred to but there is no intention to interfere into the transposition and application of that directive. It was confirmed that based on the Commission's proposal for the CPR and the EMFF, the admissibility obligations do not refer to the final recipients of financial instruments.

Experts were invited to send written comments by 26 April.

- *Non-compliance by Member State*

COM (P. Colson, MARE D3) presented the explanatory fiche.

DK requested COM to indicate in the delegated act for each of the cases of non-compliance the relevant part of the operational programme that might be subject to financial consequences. COM explained that particularly with the simplified more flexible intervention logic, this is hardly possible and the elements of the OP that are subject to financial consequences should be subject to a case-by-case analysis in the light of the nature and content of the non-compliance.

For the question of EE, COM confirmed that as regards the calculation of the flat rate correction it intends to ensure continuity and to adopt a delegated act very similar if not the same as the existing rule in the current period.

Experts were invited to send written comments by 26 April.

- *Outline of the Common Monitoring and Evaluation System*

COM (E. Mac Aoidh, MARE D3) presented the explanatory fiche. Experts raised numerous concerns and questions that can be summarised as follows:

- Continuity is welcome (SE, PT)
- Result indicators should be included into the basic act and not in a delegated act (EE, LV)

- Confirmed the problems with double counting (CZ, DK, SE)
- Since the Member States are requested to provide a lot of information, data should be structured as much as possible (ES)
- Only numerical data should be required (BE)
- Indicators influenced by external factors should be avoided (FR, LV)
- The coverage of environmental scope of the funding is not sufficient (FR, SE)
- For validating the results a limit in terms of time should be included (BE)
- Proposing the organisation of a specific workshop (CZ, ES, SE).

Experts were invited to send comments in writing by 26 April.

- *Financing not linked to costs*

COM (V, Guerre, MARE D3) presented the explanatory fiche

EE raised that if at the level of beneficiaries the Member State reimburses expenses on the basis of simplified cost options, this mechanism does not add further value to the process.

NL had concerns that the application of a different method of reimbursement at the level of beneficiaries may give rise to difficulties.

ES asked for the explanation of the co-existence of this system and the provisions on non-compliance.

Some experts (DK, EE) demonstrated interest to apply the same mechanism for other interventions, eg. data collection.

COM in its reaction confirmed that the main objective of this provision is to ensure that the financing of permanent cessation leads to effective decrease of fishing capacity. COM also confirmed openness to receive proposals from Member States for the application of financing not linked to costs for any other type of intervention.

### **3.5. AOB**

N/A.

### **4. Conclusions/recommendations/opinions**

There were no points submitted for the approval of the Expert Group and therefore there was no voting at the meeting.

### **5. Next steps**

N/A

### **6. Next meeting**

Next meeting will take place on 12 June, 2019.

## **7. List of participants**

See annex.