

Brussels, 27 January, 2020

Draft Minutes

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

26 November, 2019, Brussels

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

The agenda and the minutes were approved.

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. OLAF Annual Report and PIF Report on ESIF spending

On the occasion of the publication of OLAF's Annual Report as well as the summary of Member States' reports ("PIF report"), OLAF made a presentation focusing on irregularities within the ESIF framework with a special focus on the EMFF: It was based on an analysis of the irregularities detected by the Member States during the years 2007-2018, within the EFF and the EMFF. These irregularities were reported to the Commission through the Irregularity Management System (IMS).

The presentation included frequency of irregularities and related financial amounts, impact on different priorities, types of violations, level of detection in different Member States, comparison between the first 5 years of both programming periods of 2007-2013 (EFF) and 2014-2020 (EMFF). The comparative analysis of the two programming periods showed an increase in fraudulent irregularities (but only due to reporting by one Member State) and a decrease in non-fraudulent irregularities. Irregularities reported mainly affect permanent and temporary cessation, however, there is no further information on the types of typical mistakes within these measures.

For the question of DE, it has been clarified that the classification whether an irregularity is fraudulent is provided by the Member State. There are different practices across the EU. In general, the distinction is made mainly on the basis of intentionality.

Concerning further details on the modus operandi of the detected irregularities, there is no other structured field in IMS besides the field 'type of violation'. Further analysis of information from MS concluded that there are different practices in the provision of relevant information by different reporting authorities, which makes systematic analysis more difficult and resource demanding.

3.2. Fishing for litter (art 40.1.a) state of play and future perspectives

COM (M. Stulgis, MARE A1) presented examples of how the EU and its Member States tackle marine litter and how the EMFF – both in direct and in shared management - may be of help in this, with a focus on the current as well as the future period. Examples from [Spain](#) and [Ireland](#) were presented as videos.

BE shared that they also have a project on marine litter, however it is very difficult to administer these types of operations. A particular difficulty is to retain the economic sustainability of the projects and to cease their funding dependency. In Belgium, the project is managed by the cooperative and it took them several years to launch it.

Italy also launched a scheme in the current period in Porto Cesario (Lecce, Puglia) to implement, in an integrated manner, projects to protect the marine environment. Not only fishermen, local and port authorities, but a number of private stakeholders were also involved. The project included the setup of a collection centre as well as awareness raising in the surrounding area. Italy also confirmed the administrative difficulties. Particular attention to these projects may be devoted in the upcoming period.

Ireland focused rather on voluntary collection. More and more vessels join the scheme. However, due to the limited nature of the EMFF legislative framework, it is not allowed, for instance, to pay for community groups for collecting litter from beaches.

COM in its reaction highlighted some good examples:

- NL collected marine litter at sea and brought ashore without using EMFF money,
- In IE all fishermen were invited for joint fishing by the end of the year.

COM will further explore whether the IT scheme may be a showcase for the workshop organised in February. As regards future financing, it is up to the MS to what extent they wish to finance these actions.

3.3. FAME: Summary of Annual Implementation Reports of 2018

FAME presented data from the summary of Annual Implementation Report by the end of 2018.

BE expressed satisfaction with the overall picture and that difficulties that were experienced with launching the programme initially have been overcome and that this is evident by implementation rates. BE remarked that potential beneficiaries may not be applying for EMFF support in some cases due to a fear of failing to fulfil expected results, which could potentially lead to some sort of penalty. Beneficiaries should not be penalised for failing to achieve the expected results, as long as they implemented everything according to their grant agreement, and can justify that the operation did not turn out as planned. BE also proposed for the future that – on the basis of the experiences of preparation for an eventual hard Brexit – special, unforeseen events should be better tackled. BE opinion was supported by EE.

COM in its reaction emphasised that this is a good moment to see the new programmes as an opportunity to reflect on current implementation. There are some recurring difficulties (eg. lack of interest of potential beneficiaries, lack of administrative capacity at the level of both the national authorities and the beneficiaries), and conclusions on how best to address these need to be drawn.

In the current programming period, there has been a tendency for Member States at the start to overstate ambitions in terms of indicator targets. The performance review clearly showed this. One of the lessons drawn from the performance review is that desired achievements should not be overestimated and that they remain realistic.

The Commission proposal for the 2021-2027 period includes several simplifications. However, some of the complications derive from national level rules (complex arrangements between levels, fear of auditors, stricter application rules, etc.), therefore MS should also review how they can simplify their procedures.

COM also drew attention to the draft EMFF implementation report accompanying the presentation. Any comments on the draft should be provided within two weeks to the MARE-D3 functional email box.

3.4. FAME Annual Work Programme 2020

FAME presented the planned activities for the year 2020 work programme.

Several experts (BE, FR, ES, IT) expressed appreciation of work done by FAME and emphasised the need for continuation. EE proposed the inclusion of work on SCOs.

3.5. FARNET Annual Work Programme 2020

FARNET presented the planned activities for the year 2020 work programme.

In relation to the work programme, BE stressed the need to apply proportionality in managing CLLD.

3.6. Applicable environmental assessments for 2021-2027

COM (Y. Izabel, ENV E1) provided a presentation summarising MS obligations in relation to Strategic Environment Assessments as well as Environmental Impact Assessments. It was stressed that even if these are not mentioned in the CPR, they are still applicable.

Experts (IE, DK, BE, EE) sought clarification to what extent it is obligatory to prepare the SEA for the EMFF programmes.

For the questions, COM clarified that this is not a new obligation but the practical application of existing directives. The [Guidance on SEA](#), that is still publicly available on the EMFF website) that was prepared for the current period may continue to be used for the upcoming period as well.

3.7. Development of IT tools for the post-2020 period

COM (A. Bordonada, MARE D3) presented the indicative time schedule of IT developments in relation to the period of 2021-2027. It was highlighted that the module for formal submission of programmes is planned to be available for MS during the summer 2020. Experts were requested to provide any feedback on the experiences of SFC2014 so that they can be used for the development of SFC2021.

EE emphasised that intervention logic should not be predefined in SFC. The MS-s should have possibility to develop appropriate measures in their Operational Programme and establish link between specific objectives, actions and result indicators taking into account the specificities of their sector.

BE proposed to bring SFC closer to MS by, for instance, creating Infosys at EU level.

3.8. AOB

- CZ expert provided a *debrief on the MA meeting in Prague and Trebon*. NL informed the group that a new group had been added to the learning network platform mainly dealing with SCOs for the purpose of exchange of experience and practice.

With regard to SCOs, BE proposed data collection and control as potential candidates for SCOs.

- COM will send provisional dates of EMFF Expert Group meeting for 2020. Experts are asked to propose agenda items.

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 29 April, 2020 (tbc).

7. List of participants

See annex.