

Thursday 4 April 2019

P8\_TA(2019)0343

**European Maritime and Fisheries Fund \*\*\*I**

**European Parliament legislative resolution of 4 April 2019 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)**

(2021/C 116/15)

*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 opinion of the European Economic and Social Committee of 12 December 2018 <sup>(1)</sup>,
  - having regard to the opinion of the Committee of the Regions of 16 May 2018 <sup>(2)</sup>,
  - 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 (A8-0176/2019),
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.

**P8\_TC1-COD(2018)0210**

**Position of the European Parliament adopted at first reading on 4 April 2019 with a view to the adoption of Regulation (EU) .../... of the European Parliament and of the Council on the European Maritime and Fisheries and Aquaculture Fund and repealing Regulation (EU) No 508/2014 of the European Parliament and of the Council [Am. 1. This amendment applies throughout the text]**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular 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 thereof,

<sup>(1)</sup> OJ C 110, 22.3.2019, p. 104.

<sup>(2)</sup> OJ C 361, 5.10.2018, p. 9.

Thursday 4 April 2019

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee <sup>(1)</sup>,

Having regard to the opinion of the Committee of the Regions <sup>(2)</sup>,

Acting in accordance with the ordinary legislative procedure <sup>(3)</sup>,

Whereas:

- (1) It is necessary to establish a European Maritime, ~~and Fisheries~~ **and Aquaculture** Fund (~~EMFF~~ **EMFAF**) for the 2021-2027 period. [**Am. 1. This amendment applies throughout the text.**] That fund should aim to target funding from the Union budget support the **implementation of the** Common Fisheries Policy (CFP) **and the Marine Strategy Framework Directive (MSFD)**, the Union's maritime policy and the Union's international commitments in the field of ocean governance. Such funding is a key enabler for sustainable fisheries ~~and~~, **including** the conservation of marine biological resources **and habitats, for sustainable aquaculture**, for food security through the supply of seafood products, for the growth of a sustainable blue economy, **for prosperity and economic and social cohesion in fishing and aquaculture communities** and for healthy, safe, secure, clean and sustainably managed seas and oceans. **Support under the EMFAF should contribute to meeting the needs of both producers and consumers.** [Am. 276]
- (1a) *The European Parliament underlines its position that, following the Paris Agreement, climate-related horizontal spending should be significantly increased in comparison with the current Multiannual Financial Framework (MFF) and reach 30 % as soon as possible and at the latest by 2027.* [Am. 4]
- (1b) *On 14 March 2018 and 30 May 2018, the European Parliament stressed in its resolutions on the 2021-2027 MFF the importance of horizontal principles that should underpin the MFF 2021-2027 and all related Union policies. The European Parliament reaffirmed, in this context, its position that the Union must deliver on its commitment to be a frontrunner in implementing the UN Sustainable Development Goals (SDGs) and deplored the lack of a clear and visible commitment to that end in the MFF proposals; therefore, the European Parliament requested the mainstreaming of the SDGs into all Union policies and initiatives of the next MFF. Moreover, it reiterated that a stronger and a more ambitious Union can only be achieved if it is provided with additional financial means. The European Parliament called, therefore, for continuous support for existing policies, in particular the long-standing Union policies enshrined in the Treaties, namely the common agricultural policy and the CFP, and cohesion policy, as they provide Union citizens with tangible benefits.* [Am. 5]
- (1c) *In its resolution of 14 March 2018, the European Parliament stressed the socioeconomic and ecological importance of the fisheries sector, the maritime environment and the 'blue economy' and their contribution to the sustainable food autonomy of the Union in terms of ensuring the sustainability of European aquaculture and fisheries and mitigating the environmental impact. In addition, the European Parliament called for specific amounts allocated to fisheries under the current MFF to be maintained and, to the extent that new goals for intervention in the blue economy are planned, for an increase in the financial appropriations for maritime affairs.* [Am. 6]
- (1d) *Furthermore, in its 14 March and 30 May 2018 resolutions on the 2021-2027 MFF, the European Parliament stressed that the fight against discrimination is vital to fulfil the Union's commitments towards an inclusive Europe, and therefore that specific financial commitments for gender mainstreaming and gender equality should be included in all Union policies and initiatives in the scope of the next MFF.* [Am. 7]

<sup>(1)</sup> OJ C 110, 22.3.2019, p. 104.

<sup>(2)</sup> OJ C 361, 5.10.2018, p. 9.

<sup>(3)</sup> Position of the European Parliament of 4 April 2019.

Thursday 4 April 2019

- (1e) **The EMFAF should prioritise support for small-scale fisheries to address specific issues in that segment and support local, sustainable management of the fisheries involved and the development of coastal communities.** [Am. 8]
- (2) As a global ocean actor ~~and~~ **with the largest maritime area in the world when including the Outermost Regions and Overseas Countries and Territories, the Union has become** the world's fifth largest producer of seafood, ~~the Union and it~~ 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 **that develops within ecological limits** 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. [Am. 277]
- (2a) **Sustainable fisheries and seawater and freshwater aquaculture contribute significantly to the Union's food security, to the maintenance and creation of rural jobs and to the preservation of the natural environment and, in particular, biodiversity. The support and the development of the fisheries and aquaculture sectors should be in the focus of the next Union fisheries policy.** [Am. 10]
- (3) Regulation (EU) xx/xx of the European Parliament and of the Council [Regulation laying down Common Provisions] ('Common Provisions Regulation') <sup>(4)</sup> has been adopted in order to improve the coordination and harmonise the implementation of support under Funds in shared management (the 'Funds'), with the main aim of simplifying policy delivery in a coherent way. Those common provisions apply to the part of the ~~EMFF~~ **EMFAF** under shared management. The Funds pursue complementary objectives and share the same management mode. Therefore Regulation (EU) No [Regulation laying down Common Provisions] sets out a series of common general objectives and general principles such as partnership and multi-level governance. It also contains the common elements of strategic planning and programming, including provisions on the Partnership Agreement to be concluded with each Member State, and sets out a common approach to the performance orientation of the Funds. Accordingly, it includes enabling conditions, a performance review and arrangements for monitoring, reporting and evaluation. Common provisions are also set out with regard to eligibility rules, and special arrangements are defined for financial instruments, use of InvestEU, community-led local development and financial management. Some management and control arrangements are also common to all Funds. Complementarities between the Funds, including the ~~EMFF~~ **EMFAF**, and other Union programmes should be described in the Partnership Agreement, in accordance with Regulation (EU) No [Regulation laying down Common Provisions].
- (4) Horizontal financial rules adopted by the European Parliament and the Council on the basis of Article 322 of the Treaty on the Functioning of the European Union apply to this Regulation. These rules are laid down in Regulation (EU) xx/xx of the European Parliament and of the Council [Regulation on the financial rules applicable to the general budget of the Union] ('Financial Regulation') <sup>(5)</sup> and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 of the Treaty also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, as the respect for the rule of law is an essential precondition for sound financial management and effective Union funding.
- (5) Under direct management, the ~~EMFF~~ **EMFAF** should develop synergies and complementarities with other relevant Union funds and programmes **as well as synergies between Member States and regions**. It should also allow financing in the form of financial instruments within blending operations implemented in accordance with Regulation (EU) xx/xx of the European Parliament and of the Council [Regulation on InvestEU] <sup>(6)</sup>. [Am. 11]

<sup>(4)</sup> OJ C [...], [...], p. [...].

<sup>(5)</sup> OJ C [...], [...], p. [...].

<sup>(6)</sup> OJ C [...], [...], p. [...].

Thursday 4 April 2019

- (6) Support under the ~~EMFF~~ **EMFAF** should be used to address market failures or sub-optimal investment situations, in a proportionate manner, ~~and should not duplicate or crowd out private financing or distort competition in the internal market. Support should have a clear European~~ **contributing to increased incomes from fishing, to the promotion of jobs with rights in the sector, to guaranteed fair prices for producers, to enhanced added value from fishing, and to support for the development of related activities, up- and downstream from fishing.** [Am. 12]
- (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]. [Am. 13]
- (8) The ~~multiannual financial framework~~ **MFF** set out in Regulation (EU) xx/xx <sup>(7)</sup> provides that the Union budget must continue to support fisheries and maritime policies. The ~~EMFF EMFAF~~ budget should ~~amount, in current prices, to EUR 6 140 000 000. EMFF~~ **be increased at least by 10 % with respect to the 2014-2020 EMFF. Its** resources should be split between shared, direct and indirect management. ~~EUR 5 311 000 000~~ **87 %** should be allocated to support under shared management and ~~EUR 829 000 000~~ **13 %** 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, **protection and restoration of marine and coastal biodiversity and ecosystems and marine knowledge**, while amounts for permanent cessation and ~~extraordinary~~ **temporary** cessation of fishing activities **and for investments in vessels** should be capped. [Am. 14]
- (8a) **Regarding the importance of the aquaculture sector, the level of Union funds for the sector and, in particular, for freshwater aquaculture should be maintained at the level set for the current budgetary period.** [Am. 15]
- (9) Europe's maritime sector employs over 5 million jobs generating almost EUR 500 billion a year, with a potential to create many more jobs. The output of the global ocean economy is estimated at EUR 1,3 trillion today and this could more than double by 2030. The need to meet **the Paris** CO<sub>2</sub> emissions targets, **means that at least 30 % of the Union budget should be used for climate-related action. It is also necessary to** increase resource efficiency and reduce the environmental footprint of ~~the~~ **a blue economy that develops within ecological limits and which** has been **and must continue to be** a significant driving force for innovation in other sectors such as marine equipment, shipbuilding, ocean observation, dredging, coastal protection and marine construction. Investment in the maritime economy has been provided by Union structural funds, in particular the European Regional Development Fund (ERDF) and the EMFF. New investment tools such as InvestEU ~~must~~ **could** be utilised to meet the growth potential of the sector. [Am. 16]
- (9a) **Investment in the blue economy should be backed by the best scientific advice available to avoid harmful effects on the environment that endanger long-term sustainability. If no suitable information or expertise for evaluating the impact of investments on the environment exists, it is advisable for both the public and private sectors to take a precautionary approach, as activities with potentially harmful effects may be carried out.** [Am. 17]

<sup>(7)</sup> OJ C [...], [...], p. [...].

Thursday 4 April 2019

- (10) The ~~EMFF~~ **EMFAF** should be based on ~~four~~ **five** priorities: fostering sustainable fisheries ~~and~~, **including** the conservation of marine biological resources; **fostering sustainable aquaculture**; contributing to food security in the Union through competitive and sustainable **fisheries and aquaculture and markets and processing sectors**; enabling the growth of a sustainable blue economy, **taking into account ecological carrying capacity**, and fostering ~~prosperous~~ **prosperity and economic and social cohesion in coastal and inland** communities; strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans. ~~These priorities should be pursued through shared, direct and indirect management.~~ [Am. 18]
- (10a) *The priorities could be specified with specific Union objectives to give further clarity on what the fund can be used for and to increase the efficiency of the fund.* [Am. 19]
- (11) The ~~EMFF~~ **EMFAF** 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~~ **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~~ **on** investments enhancing fishing capacity **with certain duly justified derogations**. Moreover, investments and compensations for the fleet should be strictly conditional on their consistency with the conservation objectives of the CFP. [Am. 20]
- (12) The United Nations 2030 Agenda for Sustainable Development identified conservation and sustainable use of oceans as one of the 17 Sustainable Development Goals (SDG 14). The Union is fully committed to that goal and its implementation. In that context, it has committed to promote a sustainable blue economy **that develops within ecological limits** which is consistent with **an ecosystem-based approach to maritime spatial planning, in particular, taking into consideration the sensitivity of species and habitats to human activities at sea**, the conservation of biological resources and the achievement of good environmental status, to prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, to eliminate subsidies that contribute to illegal, unreported and unregulated (IUU) fishing and to refrain from introducing new such subsidies. This outcome should result from the World Trade Organisation fisheries subsidies negotiation. In addition, in the course of World Trade Organisation negotiations at the 2002 World Summit of Sustainable Development and at the 2012 United Nations Conference on Sustainable Development (Rio+20), the Union has committed to eliminate subsidies contributing to ~~fisheries fleet~~ **overcapacity and overfishing. The sustainable Union fisheries and the seawater and freshwater aquaculture sectors contribute significantly to the achievement of the UN Sustainable Development Goals.** [Am. 21]
- (12a) *The EMFAF should also contribute to the other Sustainable Development Goals (SDGs) for the United Nations. In particular, this Regulation takes into account the following goals:*
- **SDG 1 — End Poverty: the EMFAF will contribute to improving living conditions for the most vulnerable coastal communities, in particular those that depend on a fishing resource threatened by overfishing, global changes or environmental problems.**
  - **SDG 3 — Good Health and Well-Being: the EMFAF will contribute to combating the coastal water pollution responsible for endemic diseases, and to guaranteeing good quality food from fisheries and aquaculture.**
  - **SDG 7 — Clean Energy: the EMFAF will promote the development of renewable marine energy by financing the blue economy jointly with the funds for Horizon Europe, and will ensure that this development is suitable for protecting the marine environment and preserving fishery resources.**



Thursday 4 April 2019

- **SDG 8 — Decent Work and Economic Growth: the EMFAF will contribute to the development of the blue economy jointly with the ESF, as a factor for economic growth. It will also ensure that this economic growth is a decent source of employment for coastal communities. Furthermore, the EMFAF will contribute to improving working conditions for fishers.**
  - **SDG 12 — Responsible Consumption and Production: the EMFAF will contribute to moving towards the responsible use of natural resources and limiting natural resources and energy wastage.**
  - **SDG 13 — Climate Action: the EMFAF will provide guidance on its budget for combating climate change. [Am. 22]**
- (13) Reflecting the importance of tackling climate change in line with the Union's commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Regulation should contribute to mainstream climate actions and to the achievement of an overall target of ~~25%~~ **30%** of the Union budget expenditures supporting climate objectives. Actions under this Regulation are expected to ~~contribute to 30% of the overall financial envelope of~~ **enable the EMFF EMFAF to contribute to the achievement of** climate objectives, **but without prejudice to the funding of the CFP, for which funding must be reassessed positively.** Relevant actions, **including projects aimed at protecting and restoring seagrass beds and coastal wetlands which are major carbon sinks**, will be identified during the preparation and implementation of the ~~EMFF EMFAF~~, and reassessed in the context of the relevant evaluations and review processes. **[Am. 23]**
- (14) The ~~EMFF EMFAF~~ should contribute to the achievement of the environmental objectives of the Union **having due regard to social cohesion, within the framework of the CFP and the Marine Strategy Framework Directive and should follow European environmental policy, including water quality standards guaranteeing the quality of the marine environment suitable for improving the outlook for fisheries.** This contribution should be tracked through the application of Union environmental markers and reported regularly in the context of evaluations and annual performance reports. **[Am. 24]**
- (15) In accordance with Article 42 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ('CFP Regulation') <sup>(8)</sup>, Union financial assistance under the ~~EMFF EMFAF~~ should be conditional upon **full** compliance with the rules of the CFP **and relevant Union environmental law. Union financial assistance should be granted only to those operators and Member States who fully comply with their relevant legal obligations.** Applications from beneficiaries that do not comply with the applicable rules of the CFP should not be admissible. **[Am. 25]**
- (16) In order to address the specific conditions of the CFP referred to in Regulation (EU) No 1380/2013 and to contribute to the **full** 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~~ **proves** such a lack of compliance, the Commission should, ~~as a precautionary measure,~~ 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. **[Am. 26]**
- (17) ~~Much has been achieved~~ **Steps have been taken** over the last few years ~~by the CFP in~~ **towards** bringing fish stocks back to healthy levels, in increasing the profitability of the Union's fishing industry and in conserving marine ecosystems. However, substantial challenges remain to **fully** achieve the socio-economic and environmental objectives of CFP, **including the legal obligation to restore and maintain all populations of fish stocks above biomass levels capable of producing maximum sustainable yield.** This requires continued support beyond 2020, notably in sea basins where progress has been slower, **particularly in the most isolated ones such as outermost regions.** **[Am. 27]**

<sup>(8)</sup> Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

Thursday 4 April 2019

- (17a) *Article 13 TFEU provides that in formulating and implementing inter alia the Union's fisheries policy, the Union and the Member States are to pay full regard to the welfare requirements of animals, since they are sentient beings, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.* [Am. 2]
- (18) Fisheries are vital to the livelihood and cultural heritage of many coastal **and island** communities in the Union, in particular where small-scale coastal fishing plays an important role **such as outermost regions**. With the average age in many fishing communities being over 50, generational renewal and diversification of activities **within the fisheries sector** remain a challenge. **It is therefore essential that the EMFAF should provide support for the attractiveness of the fisheries sector by ensuring vocational training and access for young people to careers in fishing.** [Am. 28]
- (18a) *The implementation of co-management mechanisms in the professional and recreational fishing activity and aquaculture, with the direct participation of stakeholders involved, such as administration, the fishing and aquaculture sector, the scientific community, and civil society, which bases its functionality on an equitable distribution of responsibilities in decision making, and on adaptive management based on knowledge, information and immediacy, favours the achievement of the objectives of the CFP. The EMFAF should support the implementation of those mechanisms at local level.* [Am. 29]
- (19) The ~~EMFF~~ EMFAF should ~~aim to achieve~~ **contribute to achieving** the environmental, economic, social and employment objectives of the CFP, as defined in Article 2 of Regulation (EU) No 1380/2013. Such support should ensure that fishing activities are environmentally sustainable in the long-term and managed in a way that is consistent with the objectives ~~of~~ **set out in Article 2(2) of Regulation (EU) No 1380/2013, which will contribute to** achieving economic, social and employment benefits, and of contributing to the availability of **healthy** food supplies, **and at the same time ensure fair labour conditions. In that regard, fisheries depending on small offshore islands should be especially recognised and supported in order to enable them to survive and prosper.** [Am. 30]
- (20) Support from the ~~EMFF~~ EMFAF should ~~aim to achieve~~ **contribute to the timely achievement of the legal obligation to restore** and maintain sustainable fishing based on the **populations of all fish stocks above biomass levels capable of producing** maximum sustainable yield (MSY) and to minimise, **and where possible eliminate**, the negative impacts of **unsustainable and harmful** fishing activities on the marine ecosystem. That support should include innovation and investments in low-impact, climate resilient and low-carbon fishing practices and techniques, **as well as techniques aimed at selective fishing.** [Am. 31]
- (21) The landing obligation is **a legal obligation and is** one of the main challenges of the CFP. It has implied **the end of the environmentally unacceptable practice of discarding as well as** significant **and important** changes in fishing practices for the sector, sometimes with an important financial cost. ~~It~~ **The Member States** should therefore ~~be possible for use~~ the ~~EMFF~~ EMFAF to support innovation and investments that contribute to the **full and timely** implementation of the landing obligation, with a higher aid intensity rate than the one that applies to other operations, like investments in selective fishing gears **as well as the application of temporal and spatial selectivity measures**, in the improvement of port infrastructures and in the marketing of unwanted catches. It should also grant a maximum aid intensity rate of 100 % to the design, development, monitoring, evaluation and management of transparent systems for exchanging fishing opportunities between Member States ('quota swaps'), in order to mitigate the 'choke species' effect caused by the landing obligation. [Am. 279]
- (21a) *The landing obligation should be monitored equally across the entire spectrum, from small-scale to large-scale fishing vessels, in every Member State.* [Am. 33]
- (22) It should be possible for the ~~EMFF~~ EMFAF to support innovation and investments on board fishing vessels in order to improve health, safety and working conditions, **environmental protection**, energy efficiency, **animal welfare** and the quality of catches **as well as support to specific health care issues**. Such support should, however, not lead to **a risk of** an increase of fishing capacity or ability to find fish and should not be granted simply for complying with requirements that are obligatory under Union or national law. Under the architecture with no prescriptive measures,

Thursday 4 April 2019

it should be up to Member States to define the precise eligibility rules for those investments **and support**. With regard to health, safety and working conditions on board fishing vessels, a higher aid intensity rate than the one that applies to other operations should be allowed. [Am. 34]

- (23) Fisheries control is of utmost importance for the implementation of the CFP. Therefore, the ~~EMFF~~ **EMFAF** 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')<sup>(9)</sup>. Certain obligations foreseen by the revision of the Control Regulation justify a specific support from the ~~EMFF~~ **EMFAF**, 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 maritime surveillance and cooperation on coastguard functions.
- (24) The success of the CFP is dependent on the availability of scientific advice for the management of fisheries, and hence on the availability of data on fisheries. In the light of the challenges and costs to obtain reliable and complete data, it is necessary to support Member States' actions to collect ~~and~~, process **and exchange** data in line with Regulation (EU) 2017/1004 of the European Parliament and of the Council ('Data Collection Framework Regulation')<sup>(10)</sup> and to contribute to the best available scientific advice. This support should allow synergies with the collection ~~and~~, processing **and exchange** of other types of marine data, **including data about recreational fisheries**. [Am. 35]
- (25) The ~~EMFF~~ **EMFAF** should support an effective knowledge-based implementation and governance of the CFP under direct and indirect management through the provision of scientific advice, the development and implementation of a Union fisheries control system, the functioning of Advisory Councils and voluntary contributions to international organisations, **as well as a better commitment of the Union in international ocean governance**. [Am. 36]
- (26) Given the challenges to achieve the conservation objectives of the CFP, it should be possible for the ~~EMFF~~ **EMFAF** 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~~ **EMFAF** to support the 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.~~ [Am. 37]

<sup>(9)</sup> 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).

<sup>(10)</sup> Regulation (EU) 2017/1004 of the European Parliament and of the Council of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008 (OJ L 157, 20.6.2017, p. 1).



Thursday 4 April 2019

- (26a) *To establish sustainable, environmentally virtuous fisheries with reduced pressure on fishing resources, the EMFAF should support the modernisation of vessels to strive towards units that use less energy, including for imbalanced segments, either through subsidies or by means of financial instruments. The EMFAF should also allow aid to young fishermen to acquire their work tool, including vessels of over 12 m, except in imbalanced segments. [Am. 38]*
- (26b) *As fishing ports, landing sites, shelters and auction halls play an essential role in ensuring the quality of the products landed, as well as safety and working conditions, the EMFAF should as a priority support the modernisation of port infrastructures, and in particular in the marketing of fishery products, to optimise the added value of landed products. [Am. 39]*
- (27) Given the high level of unpredictability of fishing activities, ~~exceptional circumstances~~ **temporary cessation** may cause significant economic losses to fishers. In order to mitigate those consequences, it should be possible for the ~~EMFF~~ **EMFAF** to support a compensation for the ~~extraordinary~~ **temporary** 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 **or of non-renewal** of a sustainable fisheries partnership agreement, by a natural disaster or by an environmental incident, **including episodes of health closures or abnormal mortality of fishery resources, accidents at sea during fishing activities and adverse climate events**. 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~~ **120** 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 last two years**. The specificities of eel fisheries should be taken into account in the conditions for granting such support. [Am. 40]
- (27a) *It should be possible for fishermen and seawater and freshwater aquaculture producers to receive support from the EMFAF in the event of crisis in the fisheries and aquaculture markets, natural disasters or environmental incidents. [Am. 41]*
- (27b) *In order to contribute to the positive development of water sources and to the maintenance of fishing outside the close season, the EMFAF should be able to support biological seasons, whenever these seasons, when held in certain critical phases of the species' life cycle, are necessary for the sustainable exploitation of fisheries resources. [Am. 306]*
- (27c) *The European Parliament stresses the urgent need to support the establishment of a wage compensation fund to cover non-fishing periods and that such periods be treated as actual working time for the purposes of the retirement pension and other social security entitlements. Further, the European Parliament advocates the establishment of a minimum wage, set in accordance with local practices, negotiation and collective bargaining agreements. [Am. 307]*
- (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~~ **EMFAF** 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 line with the CFP objectives**. In addition, certain areas of support should be reserved for small-scale fishing in fleet segment where **it being necessary to ensure that** the fishing capacity is balanced with the available fishing opportunities, i.e. support for the acquisition, **renovation and reclassification** of a ~~second-hand~~ vessel and for engine replacement or modernisation **as well as for young fishermen**. 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. [Ams. 42 and 308]

Thursday 4 April 2019

(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'<sup>(11)</sup>, 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~~ **In order to maintain the competitiveness of certain fishery and aquaculture products from** the outermost regions ~~face due to their location and insularity, compared to that of similar products from other regions of the Union, the Union introduced measures in 1992 to compensate for the related additional costs in the fisheries sector. The measures that apply for the period 2014-2020 are laid down in Regulation (EU) No 508/2014 of the European Parliament and of the Council<sup>(12)</sup>. It is necessary to continue to provide support in order to offset the additional costs for the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions, so that the compensation contributes to the retaining of the economic viability of operators from those regions. In view of the different marketing conditions in the outermost regions, the fluctuations in catches and stocks and of market demands, it should be capped as a percentage of this~~ **left to the Member States concerned to determine the fishery products eligible for compensation, their respective maximum quantities and the compensation amounts, within the overall financial allocation per Member State. Member States should be authorised to differentiate the list and the quantities of fishery products concerned and the amount of compensation within the overall allocation per Member State. They should also be authorised to adjust their compensation plans if justified by changing conditions. Member States should set the compensation amount at a level which allows appropriate off-setting of additional costs, arising from the specific handicaps of the outermost regions. To avoid overcompensation, that amount should be proportionate to the additional costs that the aid off-sets. For that purpose, it should also take into account other types of public intervention having an impact on the level of additional costs.** In addition, a higher aid intensity rate than the one that applies to other operations should be applied in the outermost regions. [Am. 43]

(29a) **In order to ensure the survival of the small-scale coastal fisheries sector in the outermost regions and in compliance with the principles of differential treatment for small islands and territories referred to in Sustainable Development Goal (SDG) 14, it should be possible for the EMFAF to support, on the basis of Article 349 TFEU, the acquisition and the renewal of the outermost regions' small-scale coastal 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 Union hygiene standards, to fight IUU fishing and to achieve greater environmental efficiency. That fishing fleet renewal should remain within the limits of authorised capacity ceilings and should comply with the CFP objectives. It should be possible for the EMFAF to support associated measures, such as the construction or the modernisation of shipyards dedicated to small-scale coastal fishing vessels in the outermost regions, the acquisition or the renovation of infrastructures and equipment or studies.** [Am. 44]

(29b) **Having regard to the European Parliament resolution on the special situation of islands (2015/3014(RSP) and the European Economic and Social Committee's opinion on 'Specific problems facing islands' (1229/2011), agriculture, breeding and fisheries constitute an important element of local island economies. European insular regions suffer due to lack of accessibility, particularly for SMEs, a low level of product differentiation and need a strategy in order to use all possible synergies between the European Structural and Investment Funds and other Union instruments with a view to counterbalancing the handicaps of islands and enhancing their economic**

<sup>(11)</sup> COM(2017)0623

<sup>(12)</sup> Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149, 20.5.2014, p. 1).

Thursday 4 April 2019

**growth, job creation and sustainable development. While Article 174 TFEU recognises the permanent natural and geographical handicaps specific to the situation of islands, the Commission must establish a 'Union Strategic Framework for Islands' with a view to linking up instruments that can have a major territorial impact. [Am. 45]**

- (30) Under shared management, it should be possible for the ~~EMFF~~ **EMFAF** to support the protection and restoration of marine and coastal biodiversity and ecosystems. For that purpose, support should be available to compensate the collection by fishers of lost fishing gears and marine litter, **in particular plastic**, from the sea and for investments in ports to provide adequate reception **and storage** facilities for lost fishing gears and marine litter **collected**. Support should also be available for actions to achieve or maintain a good environmental status in the marine environment as set out in Directive 2008/56/EC of the European Parliament and of the Council ('Maritime Strategy Framework Directive')<sup>(13)</sup>, for the implementation of spatial protection measures established pursuant to that Directive and, in accordance with the prioritised action frameworks established pursuant to Council Directive 92/43/EEC ('Habitats Directive')<sup>(14)</sup>, for the management, restoration and monitoring of NATURA 2000 areas as well as for the protection of species under Directive 92/43/EEC and Directive 2009/147/EC of the European Parliament and of the Council ('Birds Directive')<sup>(15)</sup> **and Directive 2000/60/EC of the European Parliament and of the Council**<sup>(16)</sup>, **as well as the Union standards for urban waste water and also for the construction, installation, modernization and scientific preparation and evaluation of static or movable facilities intended to protect and enhance marine fauna and flora in the outermost regions**. Under direct management, the ~~EMFF~~ **EMFAF** should support the promotion of clean and healthy seas and the implementation of the European Strategy for Plastics in a Circular Economy developed in the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 16 January 2016<sup>(17)</sup>, in coherence with the objective of achieving or maintaining a good environmental status in the marine environment. **[Am. 46]**
- (31) **The United Nations 2030 Agenda for Sustainable Development identified achieve end hunger, achieve food security and improved nutrition as one of the 17 Sustainable Development Goals (SDG 2). The Union is fully committed to that goal and its implementation. In that context, fisheries and sustainable aquaculture contribute to food security and nutrition. However, the Union currently imports more than 60 % of its supply of fishery products and is therefore highly dependent on third countries. An important challenge is to encourage the consumption of fish-protein fishery products produced in the Union with high quality standards and available for consumers at affordable prices supplying public institutions, such as hospitals or schools, with local small-scale fishing products and initiating training and awareness programmes in educational institutions on the importance of eating local fish. [Am. 47]**
- (32) It should be possible for the ~~EMFF~~ **EMFAF** 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 preferably** through

<sup>(13)</sup> Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (OJ L 164, 25.6.2008, p. 19).

<sup>(14)</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

<sup>(15)</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

<sup>(16)</sup> **Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).**

<sup>(17)</sup> COM(2018)0028.

Thursday 4 April 2019

financial instruments ~~and, through InvestEU, which offer a higher leverage on markets and are therefore more relevant than~~ **and through** grants to address the financing challenges of the sector. [Am. 48]

- (33) Food security relies on **the protection of the marine environment, the sustainable management of fish stocks**, 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~~ **EMFAF** 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')<sup>(18)</sup>. In particular, support should be available **inter alia** for the creation of producer organisations **including fishing cooperatives, small-scale producers**, the implementation of production and marketing plans, **promotion and communication campaigns**, the promotion of new market outlets, **conducting of studies on markets, preservation and strengthening of the European Market Observatory for Fisheries and Aquaculture products (EUMOFA)** and the development and dissemination of market intelligence. [Ams. 49 and 280]
- (33a) **The quality and diversity of the Union's seafood products provide a competitive advantage for producers, which makes an important contribution to cultural and gastronomic heritage, reconciling the preservation of cultural traditions with the development and application of new scientific expertise. Citizens and consumers increasingly demand quality products with different specific characteristics linked to their geographic origin. For this purpose, the EMFAF will be able to support seafood products included in Regulation (EU) No 1151/2012 of the European Parliament and of the Council<sup>(19)</sup>. In particular, it will be able to support the recognition and registration of quality Geographical Indications under this Regulation. It will also be able to support the management entities for the Protected Designations of Origin (PDOs) and the Protected Geographical Indications (PGIs), as well as the programmes they develop for improving quality. Furthermore, it will be able to support the research carried out by these management entities for better awareness of the specific production facility, processes and products.** [Am. 50]
- (33b) **Considering the European Parliament Resolution of 4 December 2008 on a 'European Cormorant Management Plan' and the Resolution of 17 June 2010 on a new impetus for the Strategy for the Sustainable Development of European Aquaculture, the EMFAF should support scientific research and data collection on the impact of migratory birds on the aquaculture sector and on the relevant Union fish stocks.** [Am. 51]
- (33c) **Considering the need for a growing aquaculture sector and the important losses of fish stocks they are encountering due to migratory birds, the EMFAF should include certain compensations for these losses until a European Management plan is put in place.** [Am. 52]
- (34) The processing industry plays a role in the availability and quality of fishery and aquaculture products. It should be possible for the ~~EMFF~~ **EMFAF** to support targeted investments in that industry, provided they contribute to the achievement of the objectives of the CMO. Such support ~~should~~ **may** be provided ~~only~~ **through grants**, through financial instruments and through InvestEU ~~and not through grants~~. [Am. 53]
- (34a) **Apart from the eligible measures already mentioned, it should be possible for the EMFAF to support other areas related to fisheries and aquaculture including the support for protective hunting or nuisance wildlife management of species that endanger sustainable levels of fish stocks, notably seals and cormorants.** [Am. 54]
- (34b) **Apart from the eligible measures already mentioned, it should be possible for the EMFAF to support other areas related to fisheries and aquaculture including the compensation for damage to catches caused by mammals and birds protected by Union legislation, notably seals and cormorants.** [Am. 55]

<sup>(18)</sup> 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).

<sup>(19)</sup> **Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).**



Thursday 4 April 2019

- (35) Job creation in coastal regions relies on a locally driven development of a sustainable blue economy that **develops within ecological limits and** revives the social fabric of those regions, **including the islands and outermost regions**. Ocean industries and services are likely to outperform the growth of the global economy and make an important contribution to employment and growth by 2030. To be sustainable, blue growth depends on innovation and investment in new maritime businesses **and in the bio-economy and in biotechnology**, including sustainable tourism models, ocean-based renewable energy, innovative high-end shipbuilding and new port service **and the sustainable development of the fisheries and the aquaculture sector**, which can create jobs and at the same time enhance local development, **as well as development of new biology-based marine products**. Whilst public investment in the sustainable blue economy should be mainstreamed throughout the Union budget, the ~~EMFF~~ **EMFAF** should specifically concentrate on enabling conditions for the development of the **a** sustainable blue economy **that develops within ecological limits** and on removing bottlenecks to facilitate investment and the development of new markets and technologies or services. Support for the development of the sustainable blue economy should be delivered through shared, direct and indirect management. [Am. 56]
- (35a) *In accordance with Recital 3 of the CFP Regulation, recreational fisheries can have a significant impact on fish resources and Member States should therefore ensure that they are conducted in a manner that is compatible with the objectives of the CFP. However, recreational fisheries cannot be managed properly without reliable and recurring collection of recreational fisheries data as stressed by the European Parliament Resolution on the state of play on recreational fisheries in the European Union (2017/2120(INI)).* [Am. 57]
- (35b) *The goal of a sustainable blue economy is to guarantee sustainable consumption and production, as well as efficient use of resources combined with the protection and preservation of the diversity, productivity, resilience, principal functions and intrinsic values of marine ecosystems. It is based on evaluating the long-term needs of current and future generations. This also means setting the right prices for goods and services.* [Am. 58]
- (35c) *There is a need for support measures in order to facilitate social dialogue and to use the EMFAF to help train skilled professionals for the maritime and fisheries sector. The importance of modernising the maritime and fisheries sector and the role that innovation plays in this regard calls for reassessing the financial allocations for professional and vocational training in the EMFAF.* [Am. 59]
- (35d) *Investment in human capital is also vital to increase the competitiveness and economic performance of fishing and maritime activities. Therefore, the EMFAF should support advisory services, cooperation between scientists and fishers, professional training, lifelong learning, and should stimulate the dissemination of knowledge, help to improve the overall performance and competitiveness of operators and promote social dialogue. In recognition of their role in fishing communities, spouses and life partners of self-employed fishers should, under certain conditions, also be granted support for professional training, lifelong learning and the dissemination of knowledge, and for networking that contributes to their professional development.* [Am. 60]
- (36) The development of a sustainable blue economy strongly relies on partnerships between local stakeholders that contribute to the vitality **and sustainability of the populations** of coastal, **island** and inland communities and economies. The ~~EMFF~~ **EMFAF** should provide tools to foster such partnerships. For that purpose, support for community-led local development (CLLD) should be available under shared management. That approach should boost economic diversification in a local context through the development of coastal and inland fisheries, aquaculture and a sustainable blue economy. CLLD strategies should ensure that local communities better exploit and benefit from the opportunities offered by the sustainable blue economy, capitalising on and strengthening environmental, cultural, social and human resources. Every local partnership should therefore reflect the main focus of its strategy by ensuring a balanced involvement and representation of all relevant stakeholders from the local sustainable blue economy. [Am. 61]



Thursday 4 April 2019

- (37) Under shared management, it should be possible for the ~~EMFF~~ **EMFAF** to support ~~the a~~ **a sustainable blue economy that develops within ecological limits** through the collection, management and use of data to improve the knowledge on the state of the marine **and freshwater** environment **and of the resources**. That support should aim to fulfil requirements under Directive 92/43/EEC and Directive 2009/147/EC, to support maritime spatial planning, **the sustainability of the fisheries and the aquaculture sector** and to increase data quality and sharing through the European marine observation and data network. [Am. 62]
- (38) Under direct and indirect management, the ~~EMFF~~ **EMFAF** should focus on ~~the enabling~~ **creating** conditions for a sustainable blue economy **that develops within ecological limits and that fosters a healthy marine environment** through the promotion of an integrated governance and management of the maritime policy, the enhancement of the transfer and uptake of research, innovation and technology in the sustainable blue economy, the improvement of maritime skills, **sea and** ocean literacy and sharing of **environmental and** socio-economic data on the sustainable blue economy, the promotion of a low-carbon and climate resilient sustainable blue economy and the development of project pipelines and innovative financing instruments. Due consideration to the ~~outermost regions'~~ specific situation **of the outermost regions and islands falling within the scope of Article 174 TFEU** should be given in relation to the above mentioned fields. [Am. 63]
- (39) 60 % of the oceans are beyond the borders of national jurisdiction. This implies a shared international responsibility. Most problems facing the oceans are transboundary in nature such as overexploitation, climate change, acidification, pollution ~~and declining~~, **oil prospecting or underwater mining, which lead to reduction of** biodiversity, and therefore require a shared response. Under the United Nations Convention on the Law of the Sea, to which the Union is a Party under Council Decision 98/392/EC<sup>(20)</sup>, many jurisdictional rights, institutions and specific frameworks have been set up to regulate and manage human activity in the oceans. In recent years, a global consensus has emerged that the marine environment and maritime human activities should be managed more effectively to address the increasing pressures on ~~the~~ oceans **and seas**. [Am. 64]
- (40) As a global actor, the Union is strongly committed to promoting international ocean governance, in accordance with the Joint Communication to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions of 10 November 2016 entitled 'International Ocean Governance: and agenda for the future of our oceans'<sup>(21)</sup>. The Union's ocean governance policy is a new policy that covers the oceans in an integrated manner. International ocean governance is not only core to achieve the 2030 Agenda for Sustainable Development, and in particular Sustainable Development Goal 14 ('Conserve and sustainably use the oceans, seas and marine resources for sustainable development'), but also to guarantee safe, secure, clean and sustainably managed seas and oceans for future generations. The Union needs to deliver on those international commitments and be a driving **and leading** force for better international ocean governance at bilateral, regional and multilateral levels, including to prevent, deter and eliminate ~~illegal, unreported and unregulated~~ **IUU fishing and minimise the impact on the marine environment**, to improve the international ocean governance framework, to reduce pressures on oceans and seas, to create the conditions for a sustainable blue economy **that develops within ecological limits** and to strengthen international ocean research and data. [Am. 65]
- (41) Actions promoting international ocean governance under the ~~EMFF~~ **EMFAF** are to improve the overarching framework of international and regional processes, agreements, rules and institutions to regulate and manage human activity in the oceans. The ~~EMFF~~ **EMFAF** should fund international arrangements that the Union has concluded in areas not covered by the Sustainable Fisheries Partnership Agreements (SFPAs) established with various third countries as well as the Union's legal membership contribution to regional fisheries management organisations (RFMOs). SFPAs and RFMOs will continue to be funded under different strands of the Union budget.

<sup>(20)</sup> Council Decision 98/392/EC of 23 March 1998 concerning the conclusion by the European Community of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof (OJ L 179, 23.6.1998, p. 1).

<sup>(21)</sup> JOIN(2016)0049.

Thursday 4 April 2019

- (42) With regard to security and defence, improved border protection and maritime security are essential. Under the European Union Maritime Security Strategy adopted by the Council of the European Union on 24 June 2014 and its Action Plan adopted on 16 December 2014, information sharing and the European Border and Coast Guard cooperation between the European Fisheries Control Agency, the European Maritime Safety Agency and the European Border and Coast Guard Agency are key to deliver on those objectives. The ~~EMFF~~ **EMFAF** should therefore support maritime surveillance and coastguard cooperation under both shared and direct management, including by purchasing items for multipurpose maritime operations. It should also allow the relevant agencies to implement support in the field of maritime surveillance and security through indirect management.
- (43) Under shared management, each Member States should prepare one single programme **in collaboration with all the regions** that should be approved by the Commission. In the context of regionalisation and with a view to encouraging Member States to have a more strategic approach during the preparation of programmes, the Commission should develop an analysis for each sea basin indicating the common strengths and weaknesses with regard to the achievement of the objectives of the CFP. That analysis should guide both the Member States and the Commission in negotiating each programme taking into account regional challenges and needs. When assessing the programmes, the Commission should take into account the environmental and socio-economic challenges of the CFP, the socio-economic performance of ~~the~~ **a sustainable blue economy that develops within ecological limits, particularly as regards small-scale coastal fisheries**, the challenges at sea basin level, the conservation and restoration of marine ecosystems, the reduction **and collection** of marine litter and climate change **fight**, mitigation and adaptation. [Am. 66]
- (43a) In order to ensure the effective implementation of the management measures at regional level, Member States should put in place a co-management scheme involving Advisory Councils, fishermen's organisations and competent institutions/authorities to strengthen dialogue and the engagement of the parties.** [Am. 67]
- (44) Performance of ~~EMFF~~ **EMFAF** support in Member States should be assessed on the basis of indicators. Member States should report on progress towards established milestones and targets and the Commission should carry out a performance review based on annual performance reports prepared by Member States, allowing for early detection of potential implementation issues and corrective actions. A monitoring and evaluation framework should be established for that purpose.
- (44a) The payment procedure under the current EMFAF has been reported to be poor, as after four years of application only 11 % have been used. That procedure should be improved in order to accelerate payments to beneficiaries, especially as regards individuals or families.** [Am. 68]
- (45) Pursuant to paragraphs 22 and 23 of the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission of 13 April 2016 on Better Law-Making <sup>(22)</sup>, there is a need to evaluate the ~~EMFF~~ **EMFAF** on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burdens, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the ~~EMFF~~ **EMFAF** on the ground.
- (46) The Commission should implement information and communication actions relating to the ~~EMFF~~ **EMFAF**, and its actions and results. Financial resources allocated to the ~~EMFF~~ **EMFAF** should also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the priorities of the ~~EMFF~~ **EMFAF**.
- (46a) The Commission should also provide adequate tools to inform society about fishing and aquaculture activities and the benefits of diversification of fish and seafood consumption.** [Am. 69]

<sup>(22)</sup> Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission of 13 April 2016 on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

Thursday 4 April 2019

- (47) In accordance with Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union], Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council<sup>(23)</sup>, Council Regulation (Euratom, EC) No 2988/95<sup>(24)</sup>, Council Regulation (Euratom, EC) No 2185/96<sup>(25)</sup> and Council Regulation (EU) 2017/1939<sup>(26)</sup>, the financial interests of the Union are to be protected through proportionate measures, including the prevention, detection, correction and investigation of irregularities, including fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) ~~might~~ **should** carry out investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Council Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) ~~might~~ **should** investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council<sup>(27)</sup>. In accordance with Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union], any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests, to grant the necessary rights and access to the Commission, OLAF, the EPPO and the European Court of Auditors (ECA) and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights. Member States should ensure that in the management and implementation of the ~~EMFF~~ **EMFAF**, the financial interests of the Union are protected, in accordance with Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union] and Regulation (EU) No [Regulation laying down Common Provisions]. **[Am. 70]**
- (48) In order to enhance transparency regarding the use of Union funds and their sound financial management, in particular reinforcing public control of the money used, ~~certain~~ information on the operations funded under the ~~EMFF~~ **EMFAF** should be published on a website of Member State in accordance with Regulation (EU) No [Regulation laying down Common Provisions]. When a Member State publishes information on operations funded under ~~EMFF~~ **EMFAF**, the rules on the protection of personal data set out in Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>(28)</sup> are to be complied with. **[Am. 71]**
- (49) In order to supplement and amend certain non-essential elements of this Regulation, the power to adopt delegated acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the identification of the threshold triggering and the length of period of time of inadmissibility with regard to the admissibility criteria of applications, the definition of conditions related to the implementation of conservation measures for financing not linked to costs with regard to the permanent cessation of fishing activities, the definition of criteria for the calculation of the additional costs resulting from the specific handicaps of the outermost regions, the definition of the cases of non-compliance by Member States which can trigger interruption of the payment deadline, the definition of the cases of serious non-compliance by Member States which can trigger suspension of payments, the definition of the criteria for establishing the level of financial corrections to be applied and the criteria for applying flat rates or extrapolated financial corrections, the amendment of Annex I and the establishment of a monitoring and evaluation framework. In order to facilitate a smooth transition from the scheme established by Regulation (EU) No 508/2014 to the scheme established by this Regulation, the power to adopt delegated acts in accordance with Article 290 of the Treaty should also be delegated to the Commission in respect of establishing transitional conditions.

<sup>(23)</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

<sup>(24)</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1).

<sup>(25)</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

<sup>(26)</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office (OJ L 283, 31.10.2017, p. 1).

<sup>(27)</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

<sup>(28)</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

Thursday 4 April 2019

- (50) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission in respect of the approval and amendment of the operational programmes, the approval and amendment of the national work plans for data collection, the suspension of payments and financial corrections.
- (51) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission in respect of the procedures, format and timetables for the submission of the national work plans for data collection and the presentation of the annual performance reports.

HAVE ADOPTED THIS REGULATION:

TITLE I  
GENERAL FRAMEWORK

CHAPTER I  
General provisions

Article 1  
Subject-matter

This Regulation establishes the European Maritime, ~~and Fisheries~~ **and Aquaculture** Fund (~~EMFF EMFAF~~). It lays down the priorities of the ~~EMFF EMFAF~~, the budget for the period 2021-2027, the forms of Union funding and the specific rules for providing such funding, complementing the general rules applying to the ~~EMFF EMFAF~~ under Regulation (EU) No [Regulation laying down Common Provisions].

Article 2  
Geographical scope

This Regulation shall apply to operations carried out in the territory of the Union, unless otherwise provided for in this Regulation.

Article 3  
Definitions

1. For the purpose of this Regulation and without prejudice to paragraph 2, the definitions referred to in Article 4 of Regulation (EU) No 1380/2013, Article 5 of Regulation (EU) No 1379/2013, Article 4 of Regulation (EC) No 1224/2009 and Article 2 of Regulation (EU) No [Regulation laying down Common Provisions] shall apply.
2. For the purpose of this Regulation, the following definitions apply:
  - (1) 'blending operation' means actions supported by the Union budget, including within blending facilities pursuant to Article 2(6) of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union], combining non-repayable forms of support and/or financial instruments from the Union budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;
  - (2) 'common information sharing environment' (CISE) means an environment of systems developed to support the exchange of information between authorities involved in maritime surveillance, across sectors and borders, in order to improve their awareness of activities **carried out** at sea; [Am. 72]
  - (3) 'coastguard' means national authorities performing coastguard functions, which encompass maritime safety, maritime security, maritime customs, prevention and suppression of trafficking and smuggling, connected maritime law enforcement, maritime border control, maritime surveillance, protection of the marine environment, search and rescue, accident and disaster response, fisheries control, **inspection** and other activities related to those functions; [Am. 73]

**Thursday 4 April 2019**

- (4) 'European marine observation and data network' (EMODnet) means a partnership assembling marine data and metadata in order to make these fragmented resources more available and usable by public and private users by offering quality-assured, interoperable and harmonised marine data;
- (5) 'exploratory fishing' means fishing for stocks that have not been subject to fishing or have not been subject to fishing by a particular gear type or technique in the previous ten years;
- (6) 'fisher' means any natural person engaging in commercial fishing activities, as recognised by the relevant Member State;
- (6a) 'recreational fisheries' means non-commercial fishing activities exploiting marine biological resources for recreation, tourism or sport; [Am. 74]**
- (6b) 'recreational fisheries sector' means all segments of recreational fisheries and the businesses and jobs dependant on or generated by those fisheries; [Am. 75]**
- (7) 'inland fishing' means fishing activities carried out for commercial purposes in inland waters by vessels or other devices, including those used for ice fishing;
- (7a) 'on-foot fisher' means any natural person engaging in commercial on-foot fishing activities, as recognised by the relevant Member State; [Am. 76]**
- (8) 'international ocean governance' means a Union initiative to improve the overarching framework encompassing international and regional processes, agreements, arrangements, rules and institutions through a coherent cross-sectoral and rules-based approach to ensure that oceans are healthy, safe, secure, clean and sustainably managed;
- (9) 'maritime policy' means the Union policy that aims to foster integrated and coherent decision-making to maximise the sustainable development, economic growth and social cohesion of the Union, notably of the coastal and insular areas and of the outermost regions, and of the sustainable blue economy sectors, through coherent maritime-related policies and relevant international cooperation;
- (10) 'maritime security and surveillance' means the activities to understand, prevent wherever applicable and manage in a comprehensive way all the events and actions related to the maritime domain which would impact the areas of maritime safety and security, law enforcement, defence, border control, protection of the marine environment, fisheries control, trade and economic interest of the Union;
- (11) 'maritime spatial planning' means a process by which the relevant Member State's authorities analyse and organise human activities in marine areas to achieve ecological, economic and social objectives;
- ~~(12) 'productive aquaculture investments' means investments in the construction, extension, modernisation or in the equipment of facilities for aquaculture production; [Am. 77]~~
- (13) 'sea basin strategy' means an integrated framework to address common marine and maritime challenges faced by Member States, and where appropriate third countries, in a *specific* sea basin or in one or more sub-sea basins, and promote cooperation and coordination in order to achieve economic, social and territorial cohesion; it is developed by the Commission in cooperation with the **Member States and third** countries concerned, their regions and other stakeholders as appropriate; **[Am. 78]**
- (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 1967/2006 <sup>(29)</sup>, **fishing on foot and shellfish gathering; [Am. 79]**

---

<sup>(29)</sup> 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).



Thursday 4 April 2019

- (14a) *'small-scale fleet from outermost regions'* means a small-scale fleet that operates at the outermost regions as defined in each national operational programme; [Am. 80]
- (15) 'sustainable blue economy' means all sectoral and cross-sectoral economic activities throughout the single market related to oceans, seas, coasts and inland waters, covering the Union's **insular and** outermost regions and landlocked countries, including emerging sectors and non-market goods and services ~~and being~~, **aimed at ensuring environmental, social and economic well-being for present and future generations while maintaining and restoring healthy marine ecosystems and protecting vulnerable natural resources**, consistent with Union environmental legislation.; [Am. 81]
- (15a) *'co-management'* means a partnership arrangement in which government, the community of local resource users (fishers), external agents (non-governmental organisations, research institutions), and sometimes other fisheries and coastal resource stakeholders (boat owners, fish traders, credit agencies or money lenders, tourism industry, etc.) share the responsibility and authority for decision-making over the management of a fishery; [Am. 82]
- (15b) *'environmental incident'* means an accidental phenomenon of natural or human origin resulting in the degradation of the environment. [Am. 83]

## Article 4

## Priorities

The ~~EMFF~~ EMFAF shall contribute to the implementation of the CFP and of the maritime policy. It shall pursue the following priorities:

- (1) Fostering sustainable fisheries and the **protection, restoration and** conservation of marine biological resources; [Am. 291/rev]
- (1a) **Fostering sustainable aquaculture**; [Am. 85]
- (2) Contributing to food security in the Union through ~~competitive and~~ sustainable **and socially responsible** aquaculture, **fisheries** and markets; [Am. 291/rev]
- (3) Enabling the growth of a sustainable blue economy, **taking into account the ecological carrying capacity**, and fostering ~~prosperous~~ **prosperity and economic and social cohesion in** coastal, **island and inland** communities; [Am. 87]
- (4) Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans.

Support under the ~~EMFF~~ EMFAF 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. [Am. 88]

**The pursuit of those objectives shall not result in an increase in fishing capacity.** [Am. 281]

## Article 4a

## Outermost Regions

**All the provisions of this Regulation must take into account the specific constraints recognised in Article 349 of the Treaty on the Functioning of the European Union.** [Am. 89]

Thursday 4 April 2019

## CHAPTER II

### Financial framework

#### Article 5

##### Budget

1. The financial envelope for the implementation of the ~~EMFF~~ **EMFAF** for the period 2021-2027 shall be ~~EUR 6 140 000 000~~ **increased to EUR 6 867 000 000 in 2018 constant prices (i.e. EUR 7 739 000 000 in current prices).** [Am. 90]
2. The part of the financial envelope allocated to the ~~EMFF~~ **EMFAF** under Title II shall be implemented in shared management in accordance with Regulation (EU) No [Regulation laying down Common Provisions] and Article 63 of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].
3. The part of the financial envelope allocated to the ~~EMFF~~ **EMFAF** under Title III shall be implemented either directly by the Commission in accordance with Article 62(1)(a) of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union] or within the framework of indirect management in accordance with Article 62(1)(c) of that Regulation.

#### Article 6

##### Budgetary resources under shared management

1. The part of the financial envelope under shared management as specified in Title II shall be ~~EUR 5 311 000 000~~ **87 % of the EMFAF financial envelope [EUR xxx]** in current prices in accordance with the annual breakdown set out in Annex V. [Am. 91]
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:~~
  - (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.~~ [Am. 92]
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.~~ [Am. 93]
4. At least 15 % of the Union financial support allocated per Member State shall be allocated to the areas of support referred to in Articles 19 and 20. Member States with no access to Union waters may apply a lower percentage with regard to the extent of their control and data collection tasks. **Where allocations for control and data collection under Articles 19 and 20 of this Regulation are not used, the Member State concerned may transfer corresponding amounts to be used under direct management for the purposes of development and implementation, by the European Fisheries Control Agency, of a Union fisheries control system under point (b) of Article 40 of this Regulation.** [Am. 94]
  - 4a. **At least 25 % of the Union financial support allocated per Member State shall be allocated to the protection and restoration of marine and coastal biodiversity and ecosystems and for marine knowledge (Articles 22 and 27).** [Ams. 283 and 315]
  - 4b. **At least 10 % of the Union financial support allocated per Member State shall be allocated to improving the safety, working and living conditions of the crew, training, social dialogue, skills and employment. However, the Union financial support from the EMFAF allocated per Member State for all investments on board shall not exceed 60 % of the Union financial support allocated per Member State.** [Am. 96]

Thursday 4 April 2019

5. The Union financial support from the ~~EMFF~~ **EMFAF** allocated per Member State to the areas of support referred to in Articles 17(2) and 18 shall not exceed the higher of the following two thresholds:

- (a) EUR 6 000 000; or
- (b) ~~10%~~ **15 %** of the Union financial support allocated per Member State. [**Am. 97**]

6. In accordance with Articles 30 to 32 of Regulation (EU) No [Regulation laying down Common Provisions], the ~~EMFF~~ **EMFAF** may support technical assistance for the effective administration and use of this Fund at the initiative of a Member State.

#### Article 7

##### Financial distribution for shared management

The resources available for commitments by Member States referred to in Article 6(1) for the period from 2021 to 2027 are set out in the table in Annex V.

#### Article 8

##### Budgetary resources under direct and indirect management

1. The part of the financial envelope under direct and indirect management as specified in Title III shall be ~~EUR 829 000 000~~ **13 % of the EMFAF financial envelope [EUR xxx]** in current prices. [**Am. 98**]

2. The amount referred to in paragraph 1 may be used for technical and administrative assistance for the implementation of the ~~EMFF~~ **EMFAF**, such as preparatory, monitoring, control, audit and evaluation activities including corporate information technology systems.

In particular, the ~~EMFF~~ **EMFAF** may support, at the initiative of the Commission and subject to the ceiling of 1,7 % of the financial envelope referred to in Article 5(1):

- (a) technical assistance for the implementation of this Regulation as referred to in Article 29 of Regulation (EU) No [Regulation laying down Common Provisions];
- (b) the preparation, monitoring and evaluation of sustainable fisheries partnership agreements and the Union participation in regional fisheries management organisations;
- (c) the setting-up of a European network of local action groups.

3. The ~~EMFF~~ **EMFAF** shall support the costs of information and communication activities linked to the implementation of this Regulation.

### CHAPTER III

#### Programming

#### Article 9

##### Programming for support under shared management

1. In accordance with Article 16 of Regulation (EU) No [Regulation laying down Common Provisions], each Member State shall prepare a single **national** programme **or regional operational programmes** to implement the priorities referred to in Article 4. [**Am. 99**]

2. Support under Title II shall be organised along the areas of support set out in Annex II.

Thursday 4 April 2019

3. In addition to the elements referred to in Article 17 of Regulation (EU) No [Regulation laying down Common Provisions], the programme shall include:

- (a) an analysis of the situation in terms of strengths, weaknesses, opportunities and threats and the identification of the needs that require to be addressed in the relevant geographical area, including, where appropriate, sea basins covered by the programme;
- (b) the action plan for small-scale coastal fishing referred to in Article 15;
- (c) where applicable, the action plans for the outermost regions referred to in ~~paragraph 4~~ **Article 29c**; [Am. 100]
- (ca) where appropriate, sea-basin action plans for subnational or regional authorities responsible for fisheries, shellfish and maritime affairs. [Am. 101]**

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:~~

- ~~(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. [Am. 102]~~

5. The Commission, **after obtaining the opinions of the relevant Advisory Councils**, shall develop an analysis for each sea basin indicating the common strengths and weaknesses of the sea basin with regard to the achievement of the objectives of the CFP, as referred to in Article 2 of Regulation (EU) No 1380/2013, **and the achievement of good environmental status, as referred to in Directive 2008/56/EC**. ~~Where applicable, This analysis shall take into account the existing sea basin and macro-regional strategies. [Am. 103]~~

6. The Commission shall assess the programme in accordance with Article 18 of Regulation (EU) No [Regulation laying down Common Provisions]. In its assessment it shall take into account, in particular:

- (a) the maximisation of the contribution of the programme to the priorities referred to in Article 4;
- (b) the balance between the fishing capacity of the fleets and the available fishing opportunities, as reported annually by Member States according to Article 22(2) of Regulation (EU) No 1380/2013;
- (ba) where applicable, the need to modernise or to renew the fleets; [Am. 104]**
- (c) where applicable, the multiannual management plans adopted under Articles 9 and 10 of Regulation (EU) No 1380/2013, the management plans adopted under Article 19 of Council Regulation (EC) No 1967/2006 and the recommendations from regional fisheries management organisations, where applicable to the Union;
- (d) the implementation of the landing obligation referred to in Article 15 of Regulation (EU) No 1380/2013;
- (da) control of invasive species that cause considerable damage to the productivity of fisheries; [Am. 105]**
- (db) support for research into and use of innovative selective fishing gear throughout the Union, not only but including in accordance with Article 27 of Regulation (EU) No 1380/2013; [Am. 106]**

Thursday 4 April 2019

- (e) the most recent evidence on **the balance between the environmental priorities and** the socio-economic performance of the sustainable blue economy, and in particular the fishery and aquaculture sector; [Am. 107]
  - (f) where applicable, the analyses referred to in paragraph 5;
  - (g) the contribution of the programme to **bringing about a balance between the economic and social considerations and** the conservation and restoration of marine **and freshwater** 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;~~ [Am. 108]
  - (h) the contribution of the programme to the **collection and** reduction of marine litter, in accordance with Directive xx/xx of the European Parliament and of the Council [Directive on the reduction of the impact of certain plastic products on the environment] <sup>(30)</sup>; [Am. 109]
  - (i) the contribution of the programme to climate change **fight**, mitigation and adaptation, **including by reducing CO<sub>2</sub> emissions by means of fuel savings**; [Am. 110]
- (ia) the contribution of the programme to tackling IUU fishing.** [Am. 111]

7. Subject to Article 18 of Regulation (EU) No [Regulation laying down Common Provisions], the Commission shall adopt implementing acts approving the programme. The Commission shall approve the proposed programme provided the necessary information has been submitted.

8. Subject to Article 19 of Regulation (EU) No [Regulation laying down Common Provisions], the Commission shall adopt implementing acts approving amendments to a programme.

#### Article 10

#### Programming for support under direct and indirect management

Titles III shall be implemented through work programmes referred to in Article 110 of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union]. Work programmes shall set out, where applicable, the overall amount reserved for the blending operations referred to in Article 47.

### TITLE II

#### SUPPORT UNDER SHARED MANAGEMENT

#### CHAPTER I

#### General principles of support

#### Article 11

#### State aid

1. Without prejudice to paragraph 2, Articles 107, 108 and 109 of the Treaty shall apply to aid granted by Member States to undertakings in the fishery and aquaculture sector.
2. However, Articles 107, 108 and 109 of the Treaty shall not apply to payments made by Member States pursuant to this Regulation and falling within the scope of Article 42 of the Treaty.
3. National provisions setting up public financing going beyond the provisions of this Regulation concerning payments referred to in paragraph 2 shall be treated as a whole on the basis of paragraph 1.

<sup>(30)</sup> OJ C [...], [...], p. [...].



Thursday 4 April 2019

## Article 12

### Admissibility of applications

1. An application submitted by a ~~beneficiary~~ **an applicant** for support from the ~~EMFF~~ **EMFAF** shall be inadmissible for an identified period of time laid down pursuant to paragraph 4, if it has been determined by the competent authority that the ~~beneficiary~~ **applicant** concerned: [**Am. 112**]

(a) has committed serious infringements under Article 42 of Council Regulation (EC) No 1005/2008<sup>(31)</sup> 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 and Union environmental legislation**; [**Am. 317**]

(b) has been involved in the operation, management or ownership of fishing vessels included in the Union IUU vessel list as set out in Article 40(3) of Regulation (EC) No 1005/2008, or of a vessel flagged to countries identified as non-cooperating third countries as set out in Article 33 of that Regulation; or

(c) has committed any of the environmental offences set out in Articles 3 and 4 of Directive 2008/99/EC of the European Parliament and of the Council<sup>(32)</sup>, ~~where the application is made for support under Article 23.~~ [**Am. 114**]

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~~ **two** years after the final payment to that beneficiary. [**Am. 115**]

3. Without prejudice to more far-reaching national rules as agreed on in the Partnership Agreement with the Member State concerned, an application submitted by a beneficiary shall be inadmissible for an identified period of time laid down pursuant to paragraph 4, if it has been determined by the competent authority that the beneficiary has committed a fraud, as defined in Article 3 of Directive 2017/1371/EU of the European Parliament and of the Council<sup>(33)</sup>.

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 52 concerning:

(a) the identification of the threshold triggering and the length of period of time of inadmissibility referred to in paragraphs 1 and 3, which shall be proportionate to the nature, gravity, duration and repetition of the serious infringements, offences or fraud, and shall be of at least one year's duration;

*(aa) any conditions under which the duration of the period of ineligibility is reduced;* [**Am. 116**]

*(ab) the definition of the conditions to be complied with after the submission of the request referred to in paragraph 2 and the arrangements for recovering the aid granted in the event of non-compliance, to be scaled according to the seriousness of the infringement committed;* [**Am. 117**]

(b) the relevant starting or ending dates of the period of time referred to in paragraphs 1 and 3.

5. Member States shall require that beneficiaries submitting an application under the ~~EMFF~~ **EMFAF** provide to the managing authority a signed statement confirming that they respect the criteria listed in paragraphs 1 and 3. Member States shall verify the veracity of that statement before approving the operation, based on the information available in the national registers of infringements referred to in Article 93 of Regulation (EC) No 1224/2009, or any other available data.

For the purposes of the verification referred to in the first subparagraph, a Member State shall provide, on request from another Member State, the information contained in its national register of infringements referred to in Article 93 of Regulation (EC) No 1224/2009.

<sup>(31)</sup> 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).

<sup>(32)</sup> Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (OJ L 328, 6.12.2008, p. 28).

<sup>(33)</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

Thursday 4 April 2019

**5a. Member States may apply the inadmissibility period also to applications submitted by fishers in inland waters who have committed serious infringements as defined by national rules. [Am. 118]**

#### Article 12a

##### Eligible operations

**A variety of operations identified by the Member States in their programmes may be supported by the EMFAF, provided that they are covered by one or more of the priorities identified in this Regulation. [Am. 119]**

#### Article 13

##### Ineligible operations

The following operations shall not be eligible under the ~~EMFF~~ EMFAF:

- (a) operations that increase the fishing capacity of a fishing vessel or support the acquisition of equipment that increases the ability of a fishing vessel to find fish, **except for the purpose of improving the safety or the working or living conditions of the crew which includes corrections to vessel stability, or the quality of the product, provided that the increase is within the limit allocated to the Member State concerned, without jeopardising the balance between fishing capacity and available fishing opportunities and without increasing the ability of the fishing vessel concerned to catch fish; [Am. 120]**
- (b) the construction and acquisition of fishing vessels or the importation of fishing vessels, unless otherwise provided for in this Regulation;
- (c) the transfer or reflagging of fishing vessels to third countries including through the creation of joint ventures with partners of those countries;
- (d) the temporary or permanent cessation of fishing activities, unless otherwise provided for in this Regulation;
- (e) exploratory fishing;
- (f) the transfer of ownership of a business, **except for the transfer of an undertaking to young fishermen or young aquaculture producers; [Am. 121]**
- (g) direct restocking, except explicitly provided for as a conservation measure by a Union legal act or in the **cases of experimental restocking or restocking associated with processes to improve the environmental and production conditions of the natural environment; [Am. 122]**
- (h) the construction of new ports, **or new landing sites or new auction halls except for small ports and landing sites in remote areas, particularly in the outermost regions, on remote islands and in peripheral and non-urban coastal areas; [Am. 123]**
- (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; [Am. 124]~~
- (j) **except where otherwise provided for in this Regulation, 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, unless those investments lead to disproportionate costs for the operators; [Am. 125]**

Thursday 4 April 2019

- ~~(k) investments on board fishing vessels that have carried out activities at sea for less than 60 days in each of the two calendar years preceding the year of submission of the application for support. [Am. 126]~~
- (ka) **the replacement or modernisation of the main or auxiliary engine of a fishing vessel if it results in an increase in power in Kw; [Am. 127]**
- (kb) **the production of genetically modified organisms where such production may adversely affect the natural environment. [Am. 128]**

#### Article 13a

##### **Support for operations for the management of fisheries and fishing fleets**

**The EMFAF may support operations for the management of fisheries and fishing fleets in accordance with the entry/exit scheme referred to in Article 23 of Regulation (EU) No 1380/2013 and with the fishing capacity ceilings established in Annex II to that Regulation. In particular, Member States shall endeavour to optimise the allocation of their available fishing capacity, taking into account the needs of their fleet, without increasing their overall fishing capacity. [Am. 323]**

#### CHAPTER II

Priority 1: Fostering sustainable fisheries ~~and~~, the conservation of marine biological resources **and the socio-economic stability [Am. 129]**

##### Section 1

##### General conditions

##### Article 14

##### General scope of support

1. Support under this Chapter shall contribute to the achievement of the environmental, economic, social and employment objectives of the CFP, as set out in Article 2 of Regulation (EU) No 1380/2013, **and will foster social dialogue between the parties. [Am. 130]**
2. Where support under this Chapter is granted for a vessel, that vessel shall not be transferred or reflagged outside the Union during at least the five years from the final payment for the supported operation.
3. Support under this Chapter shall also apply to inland fishing, with the exception of Articles 15 and 17.

#### SECTION 2

##### SMALL-SCALE COASTAL FISHING

##### Article 15

##### Action plan for small-scale coastal fishing

1. Member States shall prepare as part of their programme ~~an~~, **and in due collaboration with the relevant sectors, a specific** action plan for small-scale coastal fishing which shall set out a strategy for the development of profitable and sustainable small-scale coastal fishing. This strategy shall be structured along the following sections, where applicable: **[Am. 131]**
  - (a) adjustment and management of fishing capacity;

Thursday 4 April 2019

- (b) promotion of low-impact, climate resilient and low-carbon fishing practices that minimize damage to the marine environment;
- (c) reinforcement of the value chain of the sector and promotion of marketing strategies, **promoting any mechanisms that improve first-sale price, in order to benefit fishers by increasing their reward for their work, and that promote fair and appropriate distribution of value added throughout the sector's value chain, reducing intermediaries' margins, increasing the prices paid to producers and restricting the prices paid by end-consumers;** [Am. 311]
- (d) promotion of skills, knowledge, innovation and capacity building, **in particular for young fishers;** [Am. 132]
- (e) improvement of health, safety and working conditions on board fishing vessels, **in fishing on foot and shellfish gathering, as well as on-shore in direct fishing-related activities;** [Am. 133]
- (f) increased compliance with data collection, traceability, monitoring, control and surveillance requirements;
- (g) involvement in the participatory management of the maritime space, including Marine Protected Areas and Natura 2000 areas;
- (h) diversification of activities in the broader sustainable blue economy;
- (i) collective organisation and participation in the decision-making and advisory processes.

2. The action plan shall take into account the FAO voluntary guidelines for securing sustainable small-scale fisheries and, where appropriate, the regional plan of action for small-scale fisheries from the General Fisheries Commission for the Mediterranean.

3. For the purpose of monitoring the implementation of the strategy referred to in paragraph 1, the action plan shall establish specific milestones and targets linked to relevant indicators established under the monitoring and evaluation framework referred to in Article 37.

**3a. In order to alleviate the administrative burden on operators applying for aid, Member States shall endeavour introducing a single Union simplified application form for EMFAF measures.** [Am. 134]

## Article 16

### Investments in small-scale coastal fishing vessels

1. The ~~EMFF~~ **EMFAF** may support the following investments in respect of small-scale coastal fishing vessels which belong to a fleet segment for which the latest report on fishing capacity, referred to in Article 22(2) of Regulation (EU) No 1380/2013, has shown a balance with the fishing opportunities available to that segment:

- (a) the first acquisition of a fishing vessel by a young fisher who, at the moment of submitting the application, is under 40 years of age and has worked a least five years as fisher or has acquired adequate vocational qualification;
- (aa) the reclassification, renewal and resizing of vessels, when they are clearly obsolete, making it possible to improve fishing conditions and increase periods spent out at sea.** [Am. 312]
- (b) the replacement or modernisation of a main or ancillary engine.
- (ba) the facilitation of access to credit, insurance and financial instruments.** [Am. 136]

Thursday 4 April 2019

2. ~~The vessels referred to in paragraph 1 shall be equipped for sea fishing and be between 5 and 30 years old.~~ [Am. 137]
3. The support referred to in paragraph 1(b) may only be granted under the following conditions:
  - (a) the new or modernised engine shall not have more power in kW than the current engine;
  - (b) any reduction of fishing capacity in kW due to the replacement or modernisation of a main or ancillary engine shall be permanently removed from the Union fleet register;
  - (c) the engine power of the fishing vessel shall have been physically inspected by the Member State to ensure that it does not exceed the engine power stated in the fishing license.
4. No support shall be granted under this Article, if the assessment on the balance between fishing capacity and fishing opportunities in the latest report referred to in Article 22(2) of Regulation (EU) No 1380/2013 for the fleet segment to which the vessels concerned belong, has not been prepared on the basis of the biological, economic and vessel use indicators set out in the common guidelines referred to in that Regulation.

### SECTION 3

#### SPECIFIC AREAS OF SUPPORT

##### Article 17

##### Management of fisheries and fishing fleets

1. ~~The EMFF~~ **EMFAF** may support operations for the management of fisheries and fishing fleets.
2. ~~If~~ The support referred to in paragraph 1 ~~is~~ **may be** granted through the compensation for the permanent cessation of fishing activities, **provided that** the following conditions ~~shall be~~ **are** complied with: [Am. 139]
  - (a) the cessation is foreseen as a tool of an action plan referred to in Article 22(4) of Regulation (EU) No 1380/2013;
  - (aa) the cessation leads to a permanent decrease in the fishing capacity as the support received is not re-invested in the fleet;** [Am. 140]
  - (b) the cessation is achieved through the scrapping of the fishing vessel or through its decommissioning and retrofitting to activities other than commercial fishing, keeping in line with the objectives of the CFP and multiannual plans;
  - (c) the fishing vessel is registered as active and has carried out fishing activities at sea for at least ~~120~~ **90** days in each of the last ~~three~~ **two** calendar years preceding the year of submission of the application for support; [Am. 141]
  - (d) the equivalent fishing capacity is permanently removed from the Union fishing fleet register and the fishing licenses and authorisations are permanently withdrawn, in accordance with Article 22(5) and (6) of Regulation (EU) No 1380/2013; and
  - (e) the beneficiary is prohibited from registering any fishing vessel within five years following the receipt of support.

*Fishers, including owners of fishing vessels and crew members, 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 the support referred to in paragraph 1. The fishers concerned shall completely cease all fishing activities. The beneficiary shall provide proof of the complete cessation of fishing activities to the competent authority. The compensation shall be refunded by the fisher on a pro rata temporis basis where that fisher returns to a fishing activity within a period of less than two years from the date of submission of the application for support.* [Am. 143]



Thursday 4 April 2019

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 accordance with Articles 46(a) and 89 of Regulation (EU) No [Regulation laying down Common Provisions], and shall be based on **the fulfilment of the conditions laid down in paragraph 2 of this Article.** [Am. 144]

(a) ~~the fulfilment of conditions, in accordance with Article 46(a)(i) of Regulation (EU) No [Regulation laying down Common Provisions]; and~~ [Am. 145]

(b) ~~the achievement of results, in accordance with Article 46(a)(ii) of Regulation (EU) No [Regulation laying down Common Provisions].~~ [Am. 146]

~~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.~~ [Am. 147]

4. No support shall be granted under paragraph 2, if the assessment on the balance between fishing capacity and fishing opportunities in the latest report referred to in Article 22(2) of Regulation (EU) No 1380/2013 for the fleet segment to which the vessels concerned belong has not been prepared on the basis of the biological, economic and vessel use indicators set out in the common guidelines referred to in that Regulation.

#### Article 18

##### ~~Extraordinary~~ **Temporary** cessation of fishing activities [Am. 148]

1. The ~~EMFF~~ **EMFAF** may support a compensation for the ~~extraordinary~~ **temporary** cessation of fishing activities caused by: [Am. 149]

(a) conservation measures, as referred to in Article 7(1), points (a), (b), (c), **(i)** and (j) 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; [Am. 150]

(b) Commission **or Member States' emergency** measures in case of a serious threat to marine biological resources, as referred to in ~~Article 12~~ **Articles 12 and 13 respectively** of Regulation (EU) No 1380/2013; [Am. 151]

(c) the interruption **of the application or non-renewal**, due to reasons of force majeure ~~of the application~~, of a sustainable fisheries partnership agreement or protocol thereto; or [Am. 152]

(d) natural disasters, environmental incidents, **including episodes of health closures or abnormal mortality of fishery resources, accidents at sea during fishing activities and adverse climate events, including prolonged unsafe weather conditions at sea that impacts a certain fishery**, as formally recognised by the competent authorities of the relevant Member State. [Am. 153]

**The recurrent seasonal suspension of fishing activities shall not be taken into account when granting compensation or making payments under this Article.** [Am. 154]

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

(a) the ~~commercial~~ **fishing** activities of the vessel concerned are stopped during at least ~~90~~ **30** consecutive days; ~~and~~ [Am. 155]

(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.

3. The support referred to in paragraph 1 shall only be granted to:

(a) owners of fishing vessels **or fishers on foot** which are registered as active and which have carried out fishing activities ~~at sea~~ for at least 120 days ~~in each of~~ **during** the last ~~three~~ **two** calendar years preceding the year of submission of the application for support; or [Am. 157]

Thursday 4 April 2019

- (b) fishers who have worked at sea for at least 120 days ~~in each of~~ **during** the last ~~three~~ **two** calendar years preceding the year of submission of the application for support on board a Union fishing vessel concerned by the ~~extraordinary~~ **temporary** cessation. [**Am. 158**]

The reference to the number of days at sea in this paragraph shall not apply to eel fisheries.

4. ~~The support referred to in paragraph 1 may be granted for a maximum duration of 6 months per vessel during the period from 2021 to 2027.~~ [**Separate vote**]

5. All fishing activities carried out by the vessels and fishers concerned shall be effectively suspended during the period concerned by the cessation. The competent authority shall satisfy itself that the vessel concerned has stopped any fishing activities during the period concerned by the ~~extraordinary~~ **temporary** cessation and that any overcompensation resulting from the use of the vessel for other purposes is avoided. [**Am. 159**]

#### Article 19

##### Control and enforcement

1. The ~~EMFF~~ **EMFAF** may support the development and implementation of a Union fisheries control system as provided for in Article 36 of Regulation (EU) No 1380/2013 and further specified in Council Regulation (EC) No 1224/2009.
2. By way of derogation from Article 13(j), the support referred to in paragraph 1 may also cover:
  - (a) the purchase ~~and~~, installation **and management** on vessels of the necessary components for ~~compulsory~~ vessel tracking and electronic reporting systems used for control **and inspection** purposes, only in the case of ~~small-scale coastal~~ fishing vessels **with an overall length of less than 12 metres**; [**Am. 160**]
  - (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; [**Am. 161**]
  - (c) the purchase and installation on vessels of devices for ~~compulsory~~ continuous measurement and recording of propulsive engine power. [**Am. 162**]
3. The support referred to in paragraph 1 may also contribute to maritime surveillance as referred to in Article 28 and to the European cooperation on coastguard functions as referred to in Article 29.
4. By way of derogation from Article 2, the support referred to in paragraph 1 may also be granted to operations carried out outside the territory of the Union.

#### Article 20

Collection ~~and~~, processing **and dissemination** of data for fisheries **and aquaculture** management and scientific purposes [**Am. 163**]

1. The ~~EMFF~~ **EMFAF** may support the collection, management ~~and~~, **processing**, use **and dissemination** of data for fisheries **and aquaculture** management and scientific purposes, **including data on recreational fisheries**, as provided for in Article 25(1) and (2) and Article 27 of Regulation (EU) No 1380/2013 and further specified in Regulation (EU) 2017/1004, on the basis of the national work plans referred to in Article 6 of Regulation (EU) 2017/1004. [**Am. 164**]
2. By way of derogation from Article 2, the support referred to in paragraph 1 may also be granted to operations carried out outside the territory of the Union.
3. The Commission may adopt implementing acts laying down rules on procedures, format and timetables for the submission of the national work plans referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 53(2).
4. The Commission shall adopt implementing acts 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.

Thursday 4 April 2019

## Article 22

Protection and restoration of marine ~~and~~, coastal **and freshwater** biodiversity and ecosystems [Am. 166]

1. The ~~EMFF~~ **EMFAF** may support actions for the protection and restoration of marine ~~and~~, coastal **and freshwater** biodiversity and ecosystems, including in inland waters. **For this purpose the cooperation with the European Space Agency and European satellite programmes should be fostered to gather more data on the situation of maritime pollution and especially plastic waste in the waters.** [Am. 167]
2. The support referred to in paragraph 1 may cover:
  - (a) compensations to fishers for the collection of lost fishing gears and **the passive collection of** marine litter from the sea, **including the collection of sargassum seaweed in the outermost regions affected;** [Am. 168]
  - (b) investments in ports to provide adequate reception, **storage and recycling** facilities for lost fishing gears and marine litter, **as well as unwanted catches as provided for in Article 15 of Regulation (EU) No 1380/2013**, collected from the sea; [Am. 169]
  - (ba) **protecting gear and catches from mammals and birds protected by Directives 92/43/EEC or 2009/147/EC, provided that it does not undermine the selectivity of the fishing gear;** [Am. 170]
  - (bb) **compensation for the use of sustainable fishing and shellfishing gears;** [Am. 171]
  - (c) actions to achieve or maintain a good environmental status in the marine environment, as set out in Article 1(1) of Directive 2008/56/EC;
    - (ca) **measures to achieve and maintain good environmental status in the freshwater environment;** [Am. 172]
    - (cb) **clean-up actions, particularly for plastic, in the Union's coastal areas, ports and fishing grounds;** [Am. 173]
  - (d) the implementation of spatial protection measures established pursuant to Article 13(4) of Directive 2008/56/EC;
  - (e) the management, restoration and monitoring of Natura 2000 areas, in accordance with the prioritised action frameworks established pursuant to Article 8 of Directive 92/43/EEC;
  - (f) the protection of species under Directive 92/43/EEC ~~and~~, Directive 2009/147/EC, in accordance with the prioritised action frameworks established pursuant to Article 8 of Directive 92/43/EEC, **and the protection of all species covered by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and/or included in the International Union for Conservation of Nature (IUCN) Red List;** [Am. 174]
    - (fa) **the construction, installation or modernisation of fixed or mobile devices intended to protect and enhance marine fauna and flora, including their scientific preparation and assessment and, in the case of the outermost regions, anchored fish aggregation devices that contribute to sustainable and selective fishing;** [Am. 175]
    - (fb) **schemes for compensation for damage to catches caused by mammals and birds protected by Directives 92/43/EEC and 2009/147/EC;** [Am. 176]
    - (fc) **contributions to a better management or conservation of marine biological resources;** [Am. 177]

Thursday 4 April 2019

- (fd) *support for protective hunting or nuisance wildlife management of species that endanger sustainable levels of fish stocks; [Am. 178]*
  - (fe) *direct restocking as a conservation measure in a Union legal act; [Am. 179]*
  - (ff) *support for the collection and management of data on the occurrence of alien species that may cause catastrophic effects on biodiversity; [Am. 180]*
  - (fg) *training for fishermen, in particular in the use of more selective fishing gear and equipment, with a view to raising awareness and reducing fishing's impact on the marine environment. [Am. 181]*
- 2a. *The EMFAF may provide funding for damages and investments with reference to points (a) and (b) of Article 22(2) at 100 %. [Am. 182]*
- 2b. *Points (e) and (f) of paragraph 2 include corresponding actions by fish farms and farmers. [Am. 183]*

#### Article 22a

##### *Scientific research and data collection on migratory birds impact*

1. *The EMFAF may support, based on the multiannual national strategic plans, the establishment of national or cross border scientific research and data collection projects with the aim of better understanding the impact of the migratory birds on the aquaculture sector and other relevant Union fish stocks. These projects should publish their results on an early basis and make recommendations regarding better management.*
2. *In order to be eligible, a national scientific research and data collection project has to include at least one national or Union recognised institute.*
3. *In order to be eligible, a cross-border scientific research and data collection project shall include at least one institute from at least two different Member States. [Am. 184]*

#### Article 22b

##### *Innovations*

1. *In order to stimulate innovation in fisheries, the EMFAF may support projects aimed at developing or introducing new or substantially improved products and equipment, new or improved processes and techniques, new or improved management and organisation systems, including at the level of processing and marketing, gradual elimination of discards and by-catches, introduction of new technical or organisational knowledge, reducing the environmental impact of fishing activities, including improved fishing techniques and selectivity of fishing gear, or achieving a more sustainable use of living marine resources and coexistence with protected predators.*
2. *Operations financed under this Article shall be initiated by individual entrepreneurs or producer organisations and their associations.*
3. *The results of operations financed under this Article shall be made public by the Member State. [Am. 185]*

### CHAPTER IIa

#### *Priority 1 a: Fostering sustainable aquaculture [Am. 186]*

#### Article 23

##### *Aquaculture*

1. *The ~~EMFF~~ EMFAF may support the promotion of a sustainable aquaculture - **seawater and freshwater, including aquaculture with closed containment and water recirculating systems** - as provided for in Article 34(1) of Regulation (EU)*

Thursday 4 April 2019

No 1380/2013 **and the increase of aquaculture production, taking into account ecological carrying capacity**. It may also support animal health and welfare in aquaculture in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council <sup>(34)</sup> and Regulation (EU) No 652/2014 of the European Parliament and of the Council <sup>(35)</sup>. [Am. 187]

2. The support referred to in paragraph 1 shall be consistent with the multiannual national strategic plans for the development of aquaculture referred to in Article 34(2) of Regulation (EU) No 1380/2013.

3. ~~Productive~~ Aquaculture investments under this Article may ~~only~~ be supported **through grants, in accordance with Article 48(1) of Regulation (EU) [Regulation laying down Common Provisions], and, preferably,** 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. [Am. 188]

#### Article 23a

##### *Aquaculture Statistical Information Network*

1. *The EMFAF 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). [Am. 1 and 189]*

#### CHAPTER III

Priority 2: ~~Contributing~~ **Promoting competitive and sustainable fisheries and aquaculture markets and processing sectors contributing** to food security in the Union ~~through competitive and sustainable aquaculture and markets~~  
[Am. 190]

#### Article 24

##### *Marketing of fishery and aquaculture products*

1. ~~The EMFF~~ **EMFAF** may support actions contributing to the achievement of the objectives of the common organisation of the markets in fishery and aquaculture products as provided for in Article 35 of Regulation (EU) No 1380/2013 and further specified in Regulation (EU) No 1379/2013. It may also support **tangible investments and** actions promoting the marketing, the quality and the value added of fishery and **sustainable** aquaculture products. [Am. 191]

<sup>(34)</sup> Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31.03.2016, p. 1).

<sup>(35)</sup> Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material, amending Council Directives 98/56/EC, 2000/29/EC and 2008/90/EC, Regulations (EC) No 178/2002, (EC) No 882/2004 and (EC) No 396/2005 of the European Parliament and of the Council, Directive 2009/128/EC of the European Parliament and of the Council and Regulation (EC) No 1107/2009 of the European Parliament and of the Council and repealing Council Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC (OJ L 189, 27.6.2014, p. 1).



Thursday 4 April 2019

**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. [Am. 192]*

**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 or of the production placed on the market by the members of that organisation during the same period. 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. [Am. 193]*

**1c.** *The support referred to in paragraph 1a shall only be granted to producer organisations and associations of producers organisations. [Am. 194]*

#### Article 25

Processing **and storage** of fishery and aquaculture products [Am. 195]

1. The ~~EMFF~~ **EMFAF** may support investments in the processing **and storage** of fishery and aquaculture products. Such support shall contribute to the achievement of the objectives of the common organisation of the markets in fishery and aquaculture products as provided for in Article 35 of Regulation (EU) No 1380/2013 and further specified in Regulation (EU) No 1379/2013. [Am. 196]

**1a.** *The EMFAF may also support investments for the innovation in the processing of fishery and aquaculture products, as well as the promotion of partnership between POs and scientific entities. [Am. 197]*

2. Support under this Article shall ~~only~~ 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. [Am. 198]

**2a.** *The development of fisheries and aquaculture processing plants may be supported by the Member States by the involvement of other Structural Fund resources. [Am. 199]*

#### Article 25a

Storage aid

1. The EMFAF 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.*

Thursday 4 April 2019

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 benefitting 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. [Am. 200]*

## CHAPTER IV

Priority 3: Enabling the growth of a sustainable blue economy **within ecological limits** and fostering prosperous coastal, **island and waterfront** communities [Am. 201]

## Article 26

## Community-led local development

1. *The EMFF EMFAF may support the **favourable conditions needed for a sustainable development blue economy and for the welfare** of local economies and communities through the community-led local development set out in Article 25 of Regulation (EU) No [Regulation laying down Common Provisions]. [Am. 202]*
2. *For the purpose of EMFF EMFAF support, the community-led local development strategies referred to in Article 26 of Regulation (EU) No [Regulation laying down Common Provisions] shall ensure that local communities better exploit and benefit from the opportunities offered by **the a sustainable blue economy within ecological limits**, capitalising on and strengthening environmental, cultural, social and human resources. [Am. 203]*
  - 2a. *The strategies shall be coherent with the opportunities and needs identified in the relevant area and the Union priorities set out in Article 4. Strategies may range from those which focus on fisheries to broader strategies directed at diversification of fisheries areas. The strategies shall go beyond a mere collection of operations or juxtaposition of sectorial measures. [Am. 204]*
  - 2b. *Actions taken in this sector should be coherent with the regional development strategies so as to allow a sustainable blue economy to grow and coastal territories to have added value. [Am. 205]*
  - 2c. *Member States shall implement the co-management regime to ensure that the objectives of this Regulation are achieved taking into account the local fishing realities. [Am. 206]*

## Article 27

Marine **and freshwater** knowledge [Am. 207]

The EMFF EMFAF may **also** support the collection, management, **analysis, processing** and use of data to improve the knowledge on the state of the marine **and freshwater** environment, **recreational fisheries and recreational fisheries sector** with a view to: [Am. 208]

- (a) fulfilling monitoring and site designation and management requirements under Directive 92/43/EEC and Directive 2009/147/EC;

Thursday 4 April 2019

- (aa) **fulfilling data collection requirements under Commission Regulation (EC) No 665/2008<sup>(36)</sup>, Commission Decision 2010/93/EU<sup>(37)</sup>, Commission Implementing Decision (EU) 2016/1251<sup>(38)</sup> and the Data Collection Framework Regulation; [Am. 209]**
- (b) supporting maritime spatial planning as referred to in Directive 2014/89/EU of the European Parliament and of the Council<sup>(39)</sup>;
- (ba) **fulfilling data collection requirements under the CFP Regulation; [Am. 210]**
- (c) increasing data quality and sharing through the European marine observation and data network (EMODnet) **as well as in other data networks covering freshwater; [Am. 211]**
- (ca) **increase the available reliable data on recreational fishing catches; [Am. 212]**
- (cb) **investments in the analysis and observation of marine pollution, especially plastics, to increase data on the situation; [Am. 213]**
- (cc) **increasing knowledge about marine plastic litter and its concentrations. [Am. 214]**

#### CHAPTER V

Priority 4: Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans

#### Article 28

##### Maritime surveillance

1. The **EMFF EMFAF** may support actions contributing to the achievement of the objectives of the common information sharing environment.
2. By way of derogation from Article 2, the support referred to in paragraph 1 of this Article may also be granted to operations carried out outside the territory of the Union.

**2a. In accordance with the objective of achieving safe, secure, clean and sustainably managed seas and oceans, the EMFAF shall contribute to the achievement of Sustainable Development Goal 14 of the United Nations 2030 Agenda for Sustainable Development. [Am. 215]**

#### Article 29

##### Coastguard cooperation

1. The **EMFF EMFAF** may support actions, carried out by national authorities, contributing to the European cooperation on coastguard functions referred to in Article 53 of Regulation (EU) 2016/1624 of the European Parliament and of the Council<sup>(40)</sup>, Article 2b of Regulation (EU) No 2016/1625 of the European Parliament and of the Council<sup>(41)</sup> and Article 7a of Regulation (EU) No 2016/1626 of the European Parliament and of the Council<sup>(42)</sup>.

<sup>(36)</sup> Commission Regulation (EC) No 665/2008 of 14 July 2008 laying down detailed rules for the application of Council Regulation (EC) No 199/2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (OJ L 186, 15.7.2008, p. 3).

<sup>(37)</sup> Commission Decision 2010/93/EU of 18 December 2009 adopting a multiannual Community programme for the collection, management and use of data in the fisheries sector for the period 2011-2013 (notified under document C(2009)10121) (OJ L 41, 16.2.2010, p. 8).

<sup>(38)</sup> Commission Implementing Decision (EU) 2016/1251 of 12 July 2016 adopting a multiannual Union programme for the collection, management and use of data in the fisheries and aquaculture sectors for the period 2017-2019 (OJ L 207, 1.8.2016, p. 113).

<sup>(39)</sup> Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning (OJ L 257, 28.8.2014, p. 135).

<sup>(40)</sup> Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

<sup>(41)</sup> Regulation (EU) 2016/1625 of the European Parliament and of the Council of 14 September 2016 amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency (OJ L 251, 16.9.2016, p. 77).

<sup>(42)</sup> Regulation (EU) 2016/1626 of the European Parliament and of the Council of 14 September 2016 amending Council Regulation (EC) No 768/2005 establishing a Community Fisheries Control Agency (OJ L 251, 16.9.2016, p. 80).

Thursday 4 April 2019

2. The support for actions referred to in paragraph 1 may also contribute to the development and implementation of a Union fisheries control **and inspection** system under the conditions set out in Article 19. [Am. 216]

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

#### Article 29a

##### Protecting nature and species

The EMFAF shall support nature protection measures taken within the framework of the UN's World Charter for Nature, particularly Articles 21, 22, 23 and 24 thereof.

The EMFAF shall also support voluntary cooperation and coordination, with and between international forums, organisations, bodies and institutions with a view to pooling means of tackling IUU fishing, the poaching of marine species and the slaughter of species considered to be predators for fish stocks. [Ams. 217 and 301]

#### CHAPTER Va

##### Outermost regions [Am. 218]

#### Article 29b

##### 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 <sup>(43)</sup>:

(a) EUR 114 000 000 in 2018 constant prices (i.e. EUR 128 566 000 in current prices) for the Azores and Madeira;

(b) EUR 91 700 000 in 2018 constant prices (i.e. EUR 103 357 000 in current prices) for the Canary Islands;

(c) EUR 146 500 000 in 2018 constant prices (i.e. EUR 165 119 000 in current prices) 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 29d, and shall not exceed 50 % of each allocation referred to in paragraph 1.

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. Such adjustments shall be possible only to the extent that a corresponding increase or decrease is made to the compensation plans of another region of the same Member State. The Member State shall inform the Commission about the adjustments in advance. [Am. 321]

#### Article 29c

##### Action plan

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:

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

---

<sup>(43)</sup> These figures will need to be adapted according to the agreed figures in Article 5(1).

Thursday 4 April 2019

**(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 list and quantities of fishery and aquaculture products and the level of compensation;**
- iii. any other investment in the sustainable blue economy necessary to achieve a sustainable coastal development.**  
[Am. 220]

#### Article 29d

##### *Renewal of small-scale coastal fishing fleets and associated measures*

**Notwithstanding points (a) and (b) of Article 13 and Article 16, the EMFAF may support in the outermost regions:**

- (a) the renewal of small-scale coastal fishing fleets, including the construction and acquisition of new vessels, for the applicants who, five years prior to the date of applying for the aid have their main place of registration in the outermost region where the new vessel will be registered, which land all their catches in ports in the outermost regions, so as to improve human safety, comply with Union and national rules on hygiene, health and working conditions on board, fight IUU fishing and achieve greater environmental efficiency. The vessel acquired with aid shall remain registered in the outermost region for at least 15 years from the date of granting the aid. If that condition is not complied with, the aid shall be reimbursed in an amount that is proportionate, having regard to the nature, gravity, duration and repetition of the non-compliance. That fishing fleet renewal shall remain within the limits of authorised capacity ceilings, and shall comply with the CFP objectives;**
- (b) the replacement or modernisation of a main or ancillary engine. The power of the new engine or the modernised engine may exceed the current engine's power in the event of a duly justified need for increased power for reasons of safety at sea, without increasing the ability of the fishing vessel concerned to catch fish;**
- (c) the partial renovation of the structural wooden hull of a fishing vessel, when this is necessary for reasons of improvement of maritime safety, according to objective technical criteria of the naval architecture;**
- (d) the construction and modernisation of ports, port infrastructures, landing sites, auction halls, shipyards and shipbuilding and repair workshops, when infrastructure contributes to sustainable fishing.** [Am. 287]

#### Article ~~29~~ 29e

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

1. The ~~EMFF~~ EMFAF 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)~~ 29 b(1).

**1a. The compensation shall be proportionate to the additional costs it intends to off-set. The level of compensation in respect of the additional costs shall be duly justified in the compensation plan. However, the compensation shall not in any event exceed 100 % of the expenditure incurred.**

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.



Thursday 4 April 2019

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 <sup>(44)</sup>;
  - (b) caught by Union fishing vessels that are not registered in a port of one of the regions referred to in paragraph 1;
  - (ba) caught by Union fishing vessels registered in the port of one of the regions referred to in paragraph 1 but not operating or involved in that region;**
  - (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 **and operating there** 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 **and approving the methodological framework for the payment of the compensation aid.** [Am. 165]

#### Article 29f

##### 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.** [Am. 222]

#### Article 29 g

##### Review — POSEI

**The Commission shall present a report on the implementation of the provisions of this Chapter by 31 December 2023 and, if necessary, adopt 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.** [Am. 223]

---

<sup>(44)</sup> 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, 14.9.2015, p. 55).

Thursday 4 April 2019

## CHAPTER VI

### Rules for implementation under shared management

#### Section 1

#### Support from the ~~EMFF~~ EMFAF

#### Article 30

##### Calculation of additional costs or income foregone

Support granted on the basis of additional costs or income foregone shall be granted under any of the forms referred to in points (a), (c), (d) and (e) of Article 46 of Regulation (EU) No [Regulation laying down Common Provisions].

#### Article 31

##### Determination of co-financing rates

The maximum ~~EMFF~~ EMFAF co-financing rate per area of support is set out in Annex II.

#### Article 32

##### Intensity of public aid

1. Member States shall apply a maximum aid intensity rate of 50 % of the total eligible expenditure of the operation.
2. By way of derogation from paragraph 1, specific maximum aid intensity rates for certain areas of support and certain types of operations are set out in Annex III.
3. Where one operation falls under several of the rows 2 to 16 of Annex III, the highest maximum aid intensity rate shall apply.
4. Where one operation falls under one or several of the rows 2 to 16 of Annex III and at the same time under row 1 of that Annex, the maximum aid intensity rate in row 1 shall apply.

#### Article 32a

##### ***Maritime policy and development of a sustainable blue economy***

***The EMFAF shall support the implementation of the integrated maritime policy and the growth of the sustainable blue economy through the development of regional platforms for funding innovative projects. [Am. 224]***

## SECTION 2

### FINANCIAL MANAGEMENT

#### Article 33

##### Interruption of the payment deadline

1. In accordance with Article 90(4) of Regulation (EU) No [Regulation laying down Common Provisions], the Commission may interrupt the payment deadline for all or part of a payment application in the case of evidence of ***proving the*** non-compliance by a Member State with the rules applicable under the CFP ***or relevant Union environmental law***, if the non-compliance is liable to affect the expenditure contained in a payment application for which the interim payment is requested. **[Am. 225]**
2. Prior to the interruption referred to in paragraph 1, the Commission shall inform the Member State concerned about the evidence of non-compliance and give it the opportunity to present observations within a reasonable period of time.

Thursday 4 April 2019

3. The interruption referred to in paragraph 1 shall be proportionate, having regard to the nature, gravity, duration and repetition of the non-compliance.
4. The Commission shall be empowered to adopt delegated acts, in accordance with Article 52, defining the cases of non-compliance referred to in paragraph 1.

#### Article 34

##### Suspension of payments

1. In accordance with Article 91(3) of Regulation (EU) No [Regulation laying down Common Provisions], the Commission may adopt implementing acts suspending all or part of the interim payments under the programme in the case of serious non-compliance by a Member State with the rules applicable under the CFP **or relevant Union environmental law**, if the serious non-compliance is liable to affect the expenditure contained in a payment application for which the interim payment is requested. [Am. 226]
2. Prior to the suspension referred to in paragraph 1, the Commission shall inform the Member State that the Commission considers that there is a case of serious non-compliance with the rules applicable under the CFP and give it opportunity to present observations within a reasonable period of time.
3. The suspension referred to in paragraph 1 shall be proportionate, having regard to the nature, gravity, duration and repetition of the serious non-compliance.
4. The Commission shall be empowered to adopt delegated acts, in accordance with Article 52, defining the cases of serious non-compliance referred to in paragraph 1.

#### Article 35

##### Financial corrections by Member States

1. In accordance with Article 97(4) of Regulation (EU) No [Regulation laying down Common Provisions], Member States shall apply financial corrections in case of the non-respect of the obligations referred to in Article 12(2) of this Regulation.
2. In the cases of the financial corrections referred to in paragraph 1, Member States shall determine the amount of the correction, which shall be proportionate, having regard to the nature, gravity, duration and repetition of the infringement or offence by the beneficiary and the importance of the ~~EMFF~~ **EMFAF** contribution to the economic activity of the beneficiary.

#### Article 36

##### Financial corrections by the Commission

1. In accordance with Article 98(5) of Regulation (EU) No [Regulation laying down Common Provisions], the Commission shall adopt implementing acts making financial corrections by cancelling all or part of the Union contribution to a programme if, after carrying out the necessary examination, it concludes that:
  - (a) expenditure contained in a payment application is affected by cases in which the beneficiary does not respect the obligations referred to in Article 12(2) and has not been corrected by the Member State prior to the opening of the correction procedure under this paragraph;
  - (b) expenditure contained in a payment application is affected by cases of serious non-compliance with the rules of the CFP **or relevant Union environmental law** by the Member State which have resulted in the suspension of payment under Article 34 and the Member State concerned still fails to demonstrate that it has taken the necessary remedial action to ensure compliance with and the enforcement of applicable rules in the future. [Am. 227]

Thursday 4 April 2019

2. The Commission shall decide on the amount of the correction taking into account the nature, gravity, duration and repetition of the serious non-compliance by the Member State or beneficiary with the rules of the CFP **or relevant Union environmental law** and the importance of the ~~EMFF~~ **EMFAF** contribution to the economic activity of the beneficiary concerned. [Am. 228]

3. Where it is not possible to quantify precisely the amount of expenditure linked to non-compliance with the rules of the CFP **or relevant Union environmental law** by the Member State, the Commission shall apply a flat rate or extrapolated financial correction in accordance with paragraph 4. [Am. 229]

4. The Commission shall be empowered to adopt delegated acts, in accordance with Article 52, determining the criteria for establishing the level of financial correction to be applied and the criteria for applying flat rates or extrapolated financial corrections.

### SECTION 3

#### MONITORING AND REPORTING

##### Article 37

###### Monitoring and evaluation framework

1. Indicators to report on progress of the ~~EMFF~~ **EMFAF** towards the achievement of the priorities referred to in Article 4 are set out in Annex I.

2. To ensure effective assessment of progress of the ~~EMFF~~ **EMFAF** 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.

##### Article 38

###### Annual performance report

1. In accordance with Article 36(6) of Regulation (EU) No [Regulation laying down Common Provisions], each Member State shall submit to the Commission an annual performance report no later than one month before the annual review meeting. The first report shall be submitted in 2023 and the last report in 2029.

2. The report referred to in paragraph 1 shall describe the progress in programme implementation and in achieving the milestones and targets referred to in Article 12 of Regulation (EU) No [Regulation laying down Common Provisions]. It shall also describe any issues that affect the performance of the programme and the measures taken to address those issues.

3. The report referred to in paragraph 1 shall be examined during the annual review meeting, in accordance with Article 36 of Regulation (EU) No [Regulation laying down Common Provisions].

**3a. Each Member State shall publish the report referred to in paragraph 1 in both the original language and in one of the working languages of the European Commission. [Am. 230]**

**3b. The report referred to in paragraph 1 shall be routinely published on the website of the European Commission. [Am. 231]**

**3c. Each Member State and the Commission shall publish reports on best practices on their respective websites. [Am. 232]**

Thursday 4 April 2019

4. The Commission shall adopt implementing acts laying down rules for the presentation of the report referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 53 (2).

**4a. The Commission shall publish all relevant documents related to the adoption of the implementing acts referred to in paragraph 7. [Am. 233]**

### TITLE III

#### SUPPORT UNDER DIRECT AND INDIRECT MANAGEMENT

#### Article 39

##### Geographical scope

By way of derogation from Article 2, this Title may also be granted to operations carried out outside the territory of the Union, with the exception of technical assistance.

### CHAPTER I

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

#### Article 40

##### Implementation of the CFP

The ~~EMFF~~ **EMFAF** shall support the implementation of the CFP through:

- (a) the provision of scientific advice and knowledge for the purpose of promoting sound and efficient fisheries management decisions under the CFP, including through the participation of experts in scientific bodies;
- (aa) involvement of the funds of the Horizon Europe research and development programme as much as possible to support and encourage research and development and innovation activities in the fisheries and aquaculture sector; [Am. 234]**
- (b) the development and implementation of a Union fisheries control system as provided for in Article 36 of Regulation (EU) No 1380/2013 and further specified in Regulation (EC) No 1224/2009;
- (c) the functioning of Advisory Councils established in accordance with Article 43 of Regulation (EU) No 1380/2013, which have an objective forming part of, and supporting, the CFP;
- (d) voluntary contributions to the activities of international organisations dealing with fisheries, in accordance with Article 29 and Article 30 of Regulation (EU) No 1380/2013.

#### Article 41

##### Promotion of clean and healthy seas

1. The ~~EMFF~~ **EMFAF** shall support the promotion of clean and healthy seas, including through actions to support the implementation of Directive 2008/56/EC and actions to ensure coherence with the achievement of good environmental status pursuant to Article 2(5)(j) of Regulation (EU) No 1380/2013, and the implementation of the European strategy for plastics in a circular economy.

2. The support referred to in paragraph 1 shall be coherent with the Union environmental legislation, in particular with the objective of achieving or maintaining a good environmental status as set out in Article 1(1) of Directive 2008/56/EC.



Thursday 4 April 2019

CHAPTER II

Priority 2: Contributing to food security in the Union through competitive and sustainable **fisheries**, aquaculture and markets [Am. 235]

Article 42

Market intelligence

The ~~EMFF~~ **EMFAF** 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, **namely by the creation of an Aquaculture Statistical Information Network (ASIN-RISA)**. [Am. 236]

CHAPTER III

Priority 3: Enabling the ~~growth of~~ **appropriate conditions for** a sustainable blue economy and fostering **a healthy marine environment for** prosperous coastal communities [Am. 237]

Article 43

Maritime policy and development of a sustainable blue economy **that develops within ecological limits at sea and in freshwater** [Am. 238]

The ~~EMFF~~ **EMFAF** shall support the implementation of the maritime policy **and the development of a sustainable blue economy** through: [Am. 239]

- (a) the promotion of a sustainable, low carbon and climate resilient blue economy **that ensures human and environmental well-being that develops within ecological limits at sea and in freshwater**; [Am. 240]
- (aa) **the restoration, protection and maintenance of the diversity, productivity, resilience and intrinsic value of marine systems**; [Am. 241]
- (b) the promotion of an integrated governance and management of the maritime policy, including through maritime spatial planning, sea basin strategies ~~and~~, maritime regional cooperation, **Union macro-regional strategies and cross-border cooperation**; [Am. 242]
- (ba) **the promotion of responsible production and consumption, clean technologies, renewable energy and circular material flows**; [Am. 243]
- (c) the enhancement of the transfer and uptake of research, innovation and technology in the sustainable blue economy, including the European marine observation and data network (EMODnet) **as well as in other data networks covering freshwater, to ensure that the technology and efficiency gains are not outweighed by growth, that the focus is on sustainable economic activities that meet the needs of current and future generations, and that the necessary tools and capacities for the transition towards a circular economy are developed in line with the Union strategy for plastics in a circular economy**; [Am. 244]
- (d) the improvement of maritime skills, ocean **and freshwater** literacy and sharing of socio-economic **and environmental** data on the sustainable blue economy; [Am. 245]
- (e) the development of project pipelines and innovative financing instruments;
- (ea) **the support to actions for the protection and restoration of marine and coastal biodiversity and ecosystems providing compensations to fishers for the collection of lost fishing gears and marine litter from the sea**. [Am. 246]

Thursday 4 April 2019

**Article 43a****Investment decisions in the blue economy**

**Investment decisions under the sustainable blue economy shall be underpinned by the best available scientific advice so as to avoid harmful effects on the environment that might jeopardise long-term sustainability. Where adequate knowledge or information does not exist, the precautionary approach shall be applied in both the public and private sectors, as actions with potentially harmful effects might be taken. [Am. 247]**

## CHAPTER IV

Priority 4: Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans

## Article 44

## Maritime security and surveillance

The ~~EMFF~~ **EMFAF** shall support the promotion of maritime security and surveillance, including through data sharing, coastguard and agencies cooperation and fight against criminal and illegal activities at sea.

## Article 45

## International ocean governance

The ~~EMFF~~ **EMFAF** shall support the implementation of the international ocean governance policy through:

- (a) voluntary contributions to international organisations active in the field of ocean governance;
- (b) voluntary cooperation with and coordination among international fora, organisations, bodies and institutions in the context of the United Nations Convention on the Law of the Sea, the 2030 Agenda for Sustainable Development and other relevant international agreements, arrangements and partnerships;
- (c) the implementation of ocean partnerships between the Union and relevant ocean actors;
- (d) the implementation of relevant international agreements, arrangements and instruments that aim to promote better ocean governance, as well as the development of actions, measures, tools and knowledge that enable safe, secure, clean and sustainably managed oceans;
- (e) the implementation of relevant international agreements, measures and tools to prevent, deter and eliminate ~~illegal, unreported and unregulated~~ **IUU fishing and measures and tool to minimise the impact on the marine environment, in particular incidental catches of seabirds, marine mammals and sea turtles; [Am. 248]**
- (f) international cooperation on and development of ocean research and data.

**Article 45a****Cleaning up oceans**

**The EMFAF shall support measures taken to rid seas and oceans of all types of waste, including, as a matter of priority, plastics, 'plastic continents' and hazardous or radioactive waste. [Ams. 249 and 300]**

Thursday 4 April 2019

## CHAPTER V

### Rules for implementation under direct and indirect management

#### Article 46

##### Forms of Union funding

1. The ~~EMFF~~ **EMFAF** may provide funding in any of the forms laid down in Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union], in particular procurement pursuant to Title VII of that Regulation and grants pursuant to Title VIII of that Regulation. It may also provide financing in the form of financial instruments within blending operations, as referred to in Article 47.
2. The evaluation of grant proposals may be carried out by independent experts.

**2a. Payment procedures related to this Regulation shall be accelerated in order to reduce economic burdens on fishermen. The Commission shall evaluate the current performance to improve and accelerate the payments process. [Am. 250]**

#### Article 47

##### Blending operations

Blending operations under the ~~EMFF~~ **EMFAF** shall be implemented in accordance with Regulation (EU) No [Regulation on InvestEU] and Title X of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union]. **In the four months following publication of this Regulation in the Official Journal, the Commission shall present a set of detailed guidelines to Member States for implementing blending operations in national operational programmes in accordance with the EMFAF while giving particular attention to blending operations carried out by local actors in local development. [Am. 251]**

#### Article 48

##### Evaluation

1. Evaluations shall be carried out in a timely manner to feed into the decision-making process.
2. The interim evaluation of the support under Title III shall be performed once there is sufficient information available about the implementation, but not later than four years after the start of the implementation of the support. **This evaluation shall take the form of a report by the Commission and provide detailed assessment of all specific aspects of the implementation. [Am. 252]**
3. At the end of the implementation period, but no later than four years after it, a final evaluation report on the support under Title III shall be prepared by the Commission.
4. The Commission shall communicate the ~~conclusion of the evaluations, accompanied by its observations,~~ **reports referred to in paragraphs 2 and 3** to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. **[Am. 253]**

**4a. As appropriate, the Commission may propose amendments to this Regulation on the basis of the report referred to in paragraph 2. [Am. 254]**

#### Article 49

##### Audits

Audits on the use of the Union contribution carried out by persons or entities, including by other than those mandated by the Union institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].

Thursday 4 April 2019

## Article 50

## Information, communication and publicity

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.
2. The Commission shall implement information and communication actions relating to the ~~EMFF~~ **EMFAF**, and its actions and results. Financial resources allocated to the ~~EMFF~~ **EMFAF** shall also contribute to the corporate communication of the political priorities of the Union, as far as they are related to the priorities referred to in Article 4.

## Article 51

## Eligible entities

1. The eligibility criteria set out in paragraphs 2 to 3 shall apply in addition to the criteria set out in Article 197 of Regulation (EU) No [Regulation on the financial rules applicable to the general budget of the Union].
2. The following entities are eligible:
  - (a) legal entities established in a Member State, **in an overseas country or territory** or in a third country listed in the work programme under the conditions specified in paragraphs 3 and 4; **[Am. 255]**
  - (b) any legal entity created under Union law, **including professional organisations** or any international organisation. **[Am. 256]**
3. Legal entities established in a third country are exceptionally eligible to participate where this is necessary for the achievement of the objectives of a given action.
4. Legal entities established in a third country which is not associated to the programme should in principle bear the cost of their participation.

## TITLE IV

## PROCEDURAL PROVISIONS

## Article 52

## Exercise of delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Articles 12, 17, 21, 33, 34, 36, 37 and 55 shall be conferred until 31 December 2027.
3. The delegation of power referred to in Articles 12, 17, 21, 33, 34, 36, 37 and 55 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the powers specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Articles 12, 17, 21, 33, 34, 36, 37 or 55 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Thursday 4 April 2019

Article 53

Committee procedure

1. The Commission shall be assisted by a Committee for the European Maritime, ~~and~~ Fisheries **and Aquaculture** Fund. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council <sup>(45)</sup>.
2. Where reference is made to this paragraph, Article 4 ~~5~~ of Regulation (EU) No 182/2011 shall apply. [**Am. 257**]

TITLE V

FINAL PROVISIONS

Article 54

*Repeal*

1. Regulation (EU) No 508/2014 is repealed with effect from 1 January 2021.
2. References to the repealed Regulation shall be construed as references to this Regulation.

Article 55

Transitional provisions

1. In order to facilitate the transition from the support scheme established by Regulation (EU) No 508/2014 to the scheme established by this Regulation, the Commission shall be empowered to adopt delegated acts, in accordance with Article 52, laying down the conditions under which support approved by the Commission under Regulation (EU) No 508/2014 may be integrated into support provided for under this Regulation.
2. This Regulation shall not affect the continuation or modification of the actions concerned, until their closure, under Regulation (EU) No 508/2014, which shall continue to apply to the actions concerned until their closure.
3. Applications made under Regulation (EU) No 508/2014 shall remain valid.

Article 56

Entry into force and date of application

This Regulation shall enter into force 20 days following that of its publication in the *Official Journal of the European Union*.

This Regulation shall apply from 1 January 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ,

*For the European Parliament*

*The President*

*For the Council*

*The President*

---

<sup>(45)</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Thursday 4 April 2019

## ANNEX I

## COMMON INDICATORS

PRIORITY	INDICATOR
Fostering sustainable fisheries and the conservation of marine biological resources	Evolution of volume of landings stemming from stocks assessed at MSY
	Evolution in profitability of the Union fishing fleet <i>and employment</i> [Am. 260]
	<del>Surface (ha) of</del> <b>Degree of compliance with the environmental objectives established by the Action Plan for the Protection of the Marine Environment in line with the Marine Strategy Framework Directive or, in the absence thereof, significant positive results in Natura 2000 sites, and other MPAs under the MSFD, covered by protection, maintenance and restoration measures</b> [Am. 261]
	Percentage of fishing vessels equipped with electronic position and catch reporting device
Contributing to food security in the Union through competitive and sustainable <i>fisheries</i> , aquaculture and markets [Am. 258]	Evolution in the value and volume of aquaculture production in the Union
	<b>Evolution in profitability of the Union fishing fleets and employment</b> [Am. 262]
	Evolution in the value and volume of landings
Enabling the growth of a sustainable blue economy and fostering prosperous coastal <i>and island</i> communities [Am. 259]	Evolution of GDP in maritime NUTS 3 regions
	Evolution in the number of jobs (in FTE) in the sustainable blue economy
Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans	Number of shared operations contributing to the European cooperation on coastguard functions



Thursday 4 April 2019

## ANNEX II

## AREAS OF SUPPORT UNDER SHARED MANAGEMENT

PRIORITY	AREA OF SUPPORT	TYPE OF AREA OF SUPPORT (nomenclature to be used in the financing plan)	MAXIMUM CO-FINANCING RATE (% of the eligible public expenditure)
1	Article 14(1) <i>Achievement of the environmental, economic, social and employment objectives of the CFP</i>	1.1	75 %
1	Article 16 <i>Investments in small-scale coastal fishing vessels</i>	1.1	<del>75 %</del> <b>85 % [Am. 263]</b>
1	Article 17(1) <i>Management of fisheries and fishing fleets</i>	1.1	75 %
1	Article 17(2) <i>Permanent cessation of fishing activities</i>	1.2	50 %
1	Article 18 <i>Extraordinary cessation of fishing activities</i>	1.2	50 %
1	Article 19 <i>Control and enforcement</i>	1.3	85 %
1	Article 20 <i>Collection and processing of data for fisheries management and scientific purposes</i>	1.3	85 %
1	Article 21 <i>Compensation for additional costs in the outermost regions for fishery and aquaculture products</i>	1.4	100 %
1	Article 22 <i>Protection and restoration of marine biodiversity and ecosystems</i>	1.5	85 %
2	Article 23 <i>Aquaculture</i>	2.1	<del>75 %</del> <b>85 %</b>
2	<b>Fisheries</b>	<b>2.1</b>	<b>75 % [Am. 264]</b>
2	<b>Article 23a</b> <b>Aquaculture Statistical Information Network</b>	<b>X</b>	<b>75 % [Am. 265]</b>

Thursday 4 April 2019

PRIORITY	AREA OF SUPPORT	TYPE OF AREA OF SUPPORT (nomenclature to be used in the financing plan)	MAXIMUM CO-FINANCING RATE (% of the eligible public expenditure)
<del>2</del> 3	Article 24 <i>Marketing of fishery and aquaculture products</i>	<del>2.1</del> 3.1	75 % [Am. 266]
<del>2</del> 3	Article 25 <i>Processing of fishery and aquaculture products</i>	<del>2.1</del> 3.1	75 % [Am. 267]
3	Article 26 <i>Community-led local development</i>	3.1	75 %
3	Article 27 <i>Marine knowledge</i>	3.1	75 %
4	Article 28 <i>Maritime surveillance</i>	4.1	75 %
4	Article 29 <i>Coastguard cooperation</i>	4.1	75 %
	<i>Technical assistance</i>	5.1	75 %

Thursday 4 April 2019

## ANNEX III

## SPECIFIC MAXIMUM AID INTENSITY RATES UNDER SHARED MANAGEMENT

ROW NUMBER	AREA OF SUPPORT OR TYPE OF OPERATION	MAXIMUM AID INTENSITY RATE
1	Article 16 Investments in small-scale coastal fishing vessels	<del>30%</del> 55 % [Am. 268]
2	Operations contributing to the implementation of the landing obligation referred to in Article 15 of Regulation (EU) No 1380/2013: — operations improving size selectivity or species selectivity of fishing gears; — operations improving the infrastructure of fishing ports, auction halls, landing sites and shelters in order to facilitate the landing and storage of unwanted catches; — operations facilitating the marketing of unwanted catches landed from commercial stocks in accordance with Article 8(2)(b) of Regulation (EU) No 1379/2013.	75 %
3	Operations improving the health, safety and working conditions on board fishing vessels	75 %
4	Operations located in the outermost regions	85 %
5	Operations located in the remote <b>Irish Islands</b> , Greek Islands and in the Croatian islands of Dugi Otok, Vis, Mljet and Lastovo [Am. 269]	85 %
6	Article 19 Control and enforcement	85 %
7	Operations related to small-scale coastal fishing (including for control and enforcement)	100 %
8	Where the beneficiary is a public law body or an undertaking entrusted with the operation of services of general economic interest as referred to in Article 106(2) of the Treaty, where support is granted for the operation of such services	100 %
9	Article 17(2) Permanent cessation of fishing activities	100 %
10	Article 18 Extraordinary cessation of fishing activities	100 %

Thursday 4 April 2019

ROW NUMBER	AREA OF SUPPORT OR TYPE OF OPERATION	MAXIMUM AID INTENSITY RATE
11	Article 20 Collection and processing of data for fisheries management and scientific purposes	100 %
12	Article 21 Compensation for additional costs in the outermost regions for fishery and aquaculture products	100 %
13	Article 27 Marine knowledge	100 %
14	Article 28 Maritime surveillance	100 %
15	Article 29 Coastguard cooperation	100 %
16	Operations related to the design, development, monitoring, evaluation or management of transparent systems for exchanging fishing opportunities between Member States, in accordance with Article 16(8) of Regulation (EU) No 1380/2013	100 %
<b>16a</b>	<b><i>Operations carried out by beneficiaries of collective projects</i></b>	<b>60 % [Am. 270]</b>
<b>16b</b>	<b><i>Operations carried out by an inter-branch organisation, a producer organisation or an association of producer organisations</i></b>	<b>75 % [Am. 271]</b>

Thursday 4 April 2019

## ANNEX IV

## COEFFICIENTS FOR CALCULATING AMOUNTS OF SUPPORT FOR ENVIRONMENT-RELATED AND CLIMATE CHANGE OBJECTIVES

AREA OF SUPPORT	NOMENCLATURE TO BE USED IN THE PROGRAMME	Coefficient for the calculation of support to climate change objectives	Coefficient for the calculation of support to environment-related objectives
<i>Expenditure contributing to priority 1: Fostering sustainable fisheries and the conservation of marine biological resources</i>			
Article 14(1) <i>Achievement of the environmental, economic, social and employment objectives of the CFP</i>	1.1	40 %	100 % for expenditure related to environmental objectives 0 % for other objectives
Article 16 <i>Investments in small-scale coastal fishing vessels</i>	1.1	0 % (*)	0 % for expenditure related to the first acquisition of a fishing vessel by a young fisher 40 % for expenditure related to the replacement or modernisation of a main or ancillary engine
Article 17(1) <i>Management of fisheries and fishing fleets</i>	1.1	0 %	0 %
Article 17(2) <i>Permanent cessation of fishing activities</i>	1.2	100 % if the support is achieved through the scrapping of the fishing vessel 0 % (*) if the support is achieved through the retrofitting of the fishing vessel for activities other than commercial fishing	0 % (*)
Article 18 <i>Extraordinary cessation of fishing activities</i>	1.2	40 %	40 %
Article 19 <i>Control and enforcement</i>	1.3	0 %	40 %
Article 20 <i>Collection and processing of data for fisheries management and scientific purposes</i>	1.3	0 %	40% 50 % [Am. 272]

Thursday 4 April 2019

AREA OF SUPPORT	NOMENCLATURE TO BE USED IN THE PROGRAMME	Coefficient for the calculation of support to climate change objectives	Coefficient for the calculation of support to environment-related objectives
Article 21 <i>Compensation for additional costs in outermost regions for fishery and aquaculture products</i>	1.4	0 %	0 %
Article 22 <i>Protection and restoration of marine biodiversity and ecosystems</i>	1.5	40 %	100 %
<b>Article 22a</b> <b>Scientific research and data collection on migratory birds impact on aquaculture</b>	<b>2.1</b>	<b>0 %</b>	<b>100 % [Am. 273]</b>
<i>Expenditure contributing to priority 2: Contributing to food security in the Union through competitive and sustainable aquaculture and markets</i>			
Article 23 <i>Aquaculture</i>	2.1	0 % (*)	40% 75 % [Am. 274]
Article 24 <i>Marketing of fishery and aquaculture products</i>	2.1	0 %	<del>0%</del> 20 % [Am. 275]
Article 25 <i>Processing of fishery and aquaculture products</i>	2.1	0 % (*)	0 %
<i>Expenditure contributing to priority 3: Enabling the growth of a sustainable blue economy and fostering prosperous coastal communities</i>			
Article 26 <i>Community-led local development</i>	3.1	0 % (*)	40 %
Article 27 <i>Marine knowledge</i>	3.1	40 %	100 %
<i>Expenditure contributing to priority 4: Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans</i>			
Article 28 <i>Maritime surveillance</i>	4.1	0 %	0 %



**Thursday 4 April 2019**

AREA OF SUPPORT	NOMENCLATURE TO BE USED IN THE PROGRAMME	Coefficient for the calculation of support to climate change objectives	Coefficient for the calculation of support to environment-related objectives
Article 29 <i>Coastguard cooperation</i>	4.1	0 %	0 %
<i>Expenditure contributing to technical assistance</i>			
<i>Technical assistance</i>	5.1	0 % (*)	0 % (*)

(\*) A Member State may propose in its programme that a coefficient of 40 % be assigned to an area of support marked with \* in the table, provided it can demonstrate the relevance of that area of support to climate change mitigation or adaptation, or to environment-related objectives, as appropriate.

## ANNEX V

GLOBAL RESOURCES BY MEMBER STATE FOR THE EUROPEAN MARITIME, ~~AND FISHERIES~~ **AND AQUACULTURE** FUND FOR THE PERIOD 2021 TO 2027

	2021	2022	2023	2024	2025	2026	2027	TOTAL
<b>BE</b>	5 420 528	5 528 939	5 639 520	5 752 311	5 867 358	5 984 701	6 072 814	40 266 171
<b>BG</b>	11 435 037	11 663 737	11 897 017	12 134 959	12 377 660	12 625 203	12 811 085	84 944 698
<b>CZ</b>	4 039 229	4 120 014	4 202 416	4 286 465	4 372 195	4 459 635	4 525 295	30 005 249
<b>DK</b>	27 053 971	27 595 050	28 146 963	28 709 906	29 284 109	29 869 767	30 309 543	200 969 309
<b>DE</b>	28 513 544	29 083 814	29 665 502	30 258 817	30 863 998	31 481 253	31 944 754	211 811 682
<b>EE</b>	13 110 534	13 372 744	13 640 205	13 913 011	14 191 273	14 475 087	14 688 206	97 391 060
<b>IE</b>	19 165 423	19 548 731	19 939 714	20 338 511	20 745 284	21 160 173	21 471 716	142 369 552
<b>EL</b>	50 480 983	51 490 602	52 520 436	53 570 852	54 642 278	55 735 079	56 555 673	374 995 903
<b>ES</b>	150 831 009	153 847 625	156 924 643	160 063 158	163 264 447	166 529 604	168 981 438	1 120 441 924
<b>FR</b>	76 346 460	77 873 387	79 430 888	81 019 517	82 639 920	84 292 652	85 533 702	567 136 526
<b>HR</b>	32 804 523	33 460 613	34 129 839	34 812 441	35 508 695	36 218 841	36 752 095	243 687 047
<b>IT</b>	69 761 016	71 156 235	72 579 390	74 030 988	75 511 619	77 021 791	78 155 791	518 216 830
<b>CY</b>	5 156 833	5 259 970	5 365 171	5 472 475	5 581 926	5 693 560	5 777 387	38 307 322
<b>LV</b>	18 156 754	18 519 888	18 890 294	19 268 103	19 653 468	20 046 521	20 341 668	134 876 696

Thursday 4 April 2019

	2021	2022	2023	2024	2025	2026	2027	TOTAL
LT	8 236 376	8 401 103	8 569 129	8 740 512	8 915 324	9 093 623	9 227 510	61 183 577
LU	—	—	—	—	—	—	—	—
HU	5 076 470	5 177 999	5 281 561	5 387 193	5 494 938	5 604 832	5 687 353	37 710 346
MT	2 938 064	2 996 826	3 056 763	3 117 899	3 180 258	3 243 860	3 291 620	21 825 290
NL	13 182 316	13 445 962	13 714 887	13 989 186	14 268 972	14 554 340	14 768 625	97 924 288
AT	904 373	922 460	940 910	959 728	978 923	998 500	1 013 200	6 718 094
PL	68 976 348	70 355 873	71 763 020	73 198 291	74 662 268	76 155 454	77 276 699	512 387 953
PT	50 962 391	51 981 638	53 021 293	54 081 726	55 163 369	56 266 592	57 095 013	378 572 022
RO	21 868 723	22 306 097	22 752 228	23 207 276	23 671 425	24 144 835	24 500 321	162 450 905
SI	3 221 347	3 285 774	3 351 490	3 418 521	3 486 892	3 556 627	3 608 990	23 929 641
SK	2 049 608	2 090 600	2 132 413	2 175 061	2 218 563	2 262 933	2 296 250	15 225 428
FI	9 659 603	9 852 795	10 049 855	10 250 853	10 455 872	10 664 981	10 822 003	71 755 962
SE	15 601 692	15 913 725	16 232 007	16 556 649	16 887 785	17 225 527	17 479 140	115 896 525
<b>TOTAL</b>	<b>714 953 155</b>	<b>729 252 201</b>	<b>743 837 554</b>	<b>758 714 409</b>	<b>773 888 819</b>	<b>789 365 971</b>	<b>800 987 891</b>	<b>5 311 000 000</b>