European Maritime and Fisheries Fund

In a nutshell
The €6 396.6 million European Maritime and Fisheries Fund (EMFF) is the smallest of the European Structural and Investment Funds for the 2014-2020 period, but it is the major financial tool supporting the EU common fisheries policy (CFP). Slightly less than half of the Fund is dedicated to promoting sustainable fisheries and to fostering sustainable aquaculture. Another significant share contributes to proper implementation of the CFP, particularly for data collection and science-based needs, and control and enforcement of rules. A small part of the EMFF is also aimed at supporting an integrated maritime policy (IMP) for the EU.

EU Multiannual Financial Framework (MFF) heading and policy area
Heading 2 – Sustainable Growth: Natural resources

2014-20 financial envelope (in current prices and as % of total MFF)
Commitments: €6 396.6 million (0.59 %)

2016 budget (in current prices and as % of total EU budget)
Commitments: €891.36 million (0.57 %)
Payments: €431.85 million (0.32 %)

2017 budget (in current prices and as % of total EU budget)
Commitments: €911.74 million (0.58 %)
Payments: €577.38 million (0.43 %)

Methods of implementation
Shared management (European Commission and Member States): €5 749 million
Direct management (European Commission): €648 million

In this briefing:
- EU role in fisheries and maritime affairs: legal basis
- EMFF objectives and financing priorities
- Financial allocation
- Assessment of the EMFF
- Other EU programmes and action in the same field
EU role in fisheries and maritime affairs: legal basis

The Treaties provide that the Union must define and implement a common agriculture and fisheries policy. Agriculture and fisheries are dealt with therein under the same heading and objectives (Title III TFEU). Fisheries products are included as part of the definition of agriculture products and references to agriculture shall be understood as also referring to fisheries, having regard to the specific characteristics of this sector. The Treaties provide the Union with exclusive competence concerning ‘the conservation of marine biological resources under the common fisheries policy (CFP)’, while other fisheries areas fall under shared competence (Articles 3 and 4 TFEU).

The first Community rules on a common market organisation (CMO) in the fisheries sector, as well as a structural policy for fisheries, appeared in the 1970's. The CFP not only covers fishing activities at sea, but also aquaculture (the farming of fish, shellfish and other aquatic animals, and the cultivation of algae and aquatic plants), and the processing and marketing of fishery and aquaculture products. The CFP was the object of a fundamental review by the European Parliament and the Council a few years ago, to address some major long-lasting deficiencies, notably over-fishing. The CFP is now subject to the general framework established under a new CFP 'Basic Regulation' (No 1380/2013). Its general objective is to ensure that fishing and aquaculture activities are environmentally sustainable and managed in a way that is consistent with the objectives of achieving economic, social and employment benefits, and of contributing to the availability of food supplies. Regarding management of fishing activities, the reformed CFP must notably be based on the precautionary approach and the ecosystem-based approach, and it aims at restoring and maintaining populations of harvested species above levels which can produce the maximum sustainable yield (MSY). An other significant shift in fisheries management, decided in this CFP reform, is to gradually eliminate discards and ensure that all catches are actually landed.

This new 'CFP Basic Regulation' was adopted in parallel to a new legislative framework on the common organisation of the markets in fishery and aquaculture products (Regulation 1379/2013), and followed by the adoption of a dedicated financial instrument: the European Maritime and Fisheries Fund (EMFF). Governed under Regulation 508/2014, (the EMFF Regulation), this Fund aims at providing the EU and the Member States with the financial means to underpin the objectives of this new CFP. In this regard, this Fund continues the succession of specific EU financial instruments aimed at supporting the EU fisheries sector, the first of which was created in 1994. In 1994-2006, the fund was known as the Financial Instrument for Fisheries Guidance (FIFG). In the 2007-2013 period it was renamed the European Fisheries Fund (EFF), before being entitled the European Maritime and Fisheries Fund (EMFF) under the current 2014-2020 Multiannual Financial Framework.

Beyond providing a financial instrument mainly dedicated to supporting the CFP objectives, this EMFF was also set up as a tool to sustain funding for the implementation and development of an integrated maritime policy (IMP) for the EU. The objective of the IMP is to support the sustainable use of seas and oceans and to develop coordinated, coherent and transparent decision-making in relation to the policies affecting the oceans, seas, islands, coastal and outermost regions and maritime sectors. Initiated a decade ago (see Commission communication COM(2007) 574), the IMP for the EU does not develop as such relying on one specific legal base of the Treaties, but touches upon numerous EU policies such as transport, industry competitiveness, research and technological
development, environment, energy and tourism, with impact in terms of economic, social, and territorial cohesion.

In the 2014-2020 Multiannual Financial Framework (MFF), the EMFF is one of five European Structural and Investment Funds (ESI Funds), which make up the Union’s financial support for the strengthening of its economic, social, and territorial cohesion (Article 174 TFEU) (figure 1).

Therefore, the financial management and implementation of the EMFF is not only based on the provisions established in the specific EMFF Regulation (EU) No 508/2014, but is also governed by Regulation (EU) No 1303/2013 laying down common provisions on the ESI Funds, known as the Common Provisions Regulation (CPR). Integration of the EMFF into the legal framework of the ESI Funds aims at improving their coordination and synergies and, thereby, at enhancing their impact on the development of the EU regions.

As far as the financial implementation of the EMFF is concerned, part of the Fund is subject to shared management (implementation by the European Commission with Member States), the other part is subject to direct management (implementation by the Commission alone). The CPR, notably Part Four thereof (which provides rules on management and control, financial management, accounts and financial corrections), applies however only to the EMFF budget that is spent under shared management (see box 1).

**Box 1 – Shared and direct management of the EMFF.**

About 90 % (£5 749 million) of the EMFF is spent under the shared management (Article 58b and 59 of the Financial Regulation 966/2012), which involves both the European Commission and Member States. The measures financed from this part of the EMFF budget are subject to the provisions of the CPR (the ESI Funds) and the EMFF Regulation. As in the case of the other ESI Funds, the co-financed actions are specified in the operational programmes prepared by the Member States and approved by the European Commission.

Roughly 10 % (£648 million) of the total EMFF budget in 2014-2020 is spent under direct management (Article 58a of the Financial Regulation 966/2012), i.e. by the European Commission or, on its behalf, by the Executive Agency for Small and Medium-sized Enterprises (EASME). The measures financed from this part of the EMFF budget are outlined in the EMFF Regulation and specified in the Commission's annual work programme. The implementation of the 2017 work programme is supported with €75.6 million from the EU budget.\(^4\)

**EMFF objectives and financing priorities**

A financial tool supporting the aims of the CFP, the EMFF must also contribute to the thematic objectives of the ESI Funds and more generally to the Europe 2020 strategic goals.\(^5\)

The EMFF Regulation provides that this Fund aims at contributing to the achievement of the following objectives:
• Promoting competitive, environmentally sustainable, economically viable and socially responsible fisheries and aquaculture;
• Fostering the implementation of the CFP;
• Promoting a balanced and inclusive territorial development of fisheries and aquaculture areas;
• Fostering the development and implementation of the Union’s IMP in a manner complementary to cohesion policy and to the CFP.

Measures financed under shared management
The part of the Fund under shared management covers six main Union priorities, each of these being divided into several specific objectives:

(1) Promoting sustainable fisheries (e.g. through ensuring a balance between fishing capacity and available fishing opportunities, reduction of the environmental impact of fisheries, notably unwanted catches, and improvement of safety and working conditions);
(2) Fostering sustainable aquaculture (e.g. through innovation and technological development, professional training and promotion of resource-efficiency, environmental protection, animal health and welfare, and public health and safety in aquaculture);
(3) Fostering the implementation of the CFP (notably through improving the science base and support to control and enforcement);
(4) Increasing employment and territorial cohesion (e.g. through the promotion of job creation, and support for employability and labour mobility, including diversification of activities);
(5) Fostering marketing and processing of fishery and aquaculture products (by improving market organisation and encouragement of investment in these sectors);
(6) Fostering the implementation of the IMP.

The Fund also provides for additional compensations in outermost regions.

The EMFF can support numerous types of measures. Depending on the type of measure, the financial support is destined to some categories of beneficiaries, being it private operators (in fishing, aquatic farming, processing and marketing); public bodies; or different types of stakeholder organisations, such as professional or producer organisations (POs), NGOs, and advisory councils (ACs). A community-led local development (CLLD) approach (as set out in Article 32 of the CPR) is also promoted, with specific support for fisheries local action groups (FLAGS) and their networking activities (FARNET).

Table 1 below provides a general overview of the main categories of eligible measures under shared management. While some measures are fishing-specific by nature, other types of measures – notably to promote sustainable aquaculture or territorial cohesion in fisheries and aquaculture areas – to some extent mirror measures benefiting from EU funding under the common agriculture policy (pillar I and pillar II).
### Table 1 – Main measures supported by EMFF under shared management

<table>
<thead>
<tr>
<th>Priorities and main types of EMFF eligible measures (shared management)</th>
<th>Possible beneficiaries</th>
</tr>
</thead>
</table>
| **Sustainable development of fisheries**  
(see EMFF Regulation: Title V, Chapter I) | Operators  
(vessel owners, fishermen...)  
Public bodies  
(incl. scientists)  
Others  
(POs, NGOs, FLAGs...) |
| Innovation projects (products, equipment, processes, techniques organisation systems...) | ● |
| Advisory services, feasibility studies and advice (for sustainability or competitiveness) | ● |
| Scientists-fishermen partnership (creation of networks and joint activities) | ● |
| Promotion of human capital, job creation, social dialogue (training, best practices exchanges...) | ● |
| Diversification and new forms of income (investments), best practices exchanges... | ● |
| Start up support for young fishermen | ● |
| Health and safety (investments on board and equipment) | ● |
| Cessation of fishing activities under conditions  
- Temporarily (e.g. under emergency closures, non-renewal of a fisheries agreement),  
- Permanently (scraping of vessel when part of a plan to reduce fishing capacity) | ● |
| Mutual funds compensating losses due to climatic events and environmental incidents | ● |
| Support for systems of allocation of fishing opportunities | ● |
| Support for the design and implementation of conservation measures and regional cooperation | ● |
| Limitation of environmental impact of fishing (equipment, e.g. for better selectivity) | ● |
| Innovation related to conservation of marine resources | ● |
| Environment protection and compensation regimes (e.g. waste collection, Natura 2000 measures) | ● |
| Energy efficiency and climate change mitigation (e.g. investment equipment, audits, studies) | ● |
| Added value, product quality and use of unwanted catches (investments, e.g. for direct sale) | ● |
| Fishing ports, landing site auction halls, shelters (improvement of infrastructures) | ● |
| Inland fishing (investments for operators) and protection of aquatic fauna and flora (Natura 2000) | ● |
| **Sustainable development of aquaculture**  
(see EMFF Regulation: Title V, Chapter II) | Operators  
(aquaculture enterprises...)  
Public bodies  
(incl. scientists)  
Others  
(POs, NGOs, FLAGs...) |
| Innovation (for more sustainable production, new farmed species, innovative products ...) | ● |
| Productive investments | ● |
| Management, relief and advisory services (for sustainability or competitiveness) | ● |
| Promotion of human capital and networking (training, working conditions, best practices...) | ● |
| Increasing aquaculture sites potential (e.g. spatial planning, control of predators and diseases) | ● |
| New aquaculture farmers (setting up of micro and small enterprises ) | ● |
| Conversion to eco-management and audit schemes (EMAS) and organic aquaculture (compensation for costs and conversion losses) | ● |
| Aquaculture providing environmental services (compensation for costs or income foregone) | ● |
| Public health measures (compensation to harvest suspension imposed on mollusc farmers) | ● |
| Animal health and welfare (e.g. disease control, best practices, health protection groups...) | ● |
| Aquaculture stock insurance (natural disasters, climatic events, sudden water quality changes...) | ● |
| **Sustainable development of fisheries and aquaculture areas**  
Follows a community-led local development (CLLD) approach  
(see EMFF Regulation: Title V, Chapter III) | Operators  
Public bodies  
Others (FLAGs) |
| **Support for CLLD (preparatory support, implementation of CLLD strategies, cooperation activities, running costs and animation)** | ● |
| **Marketing and processing related measures**  
concerning fishery and aquaculture products  
(see EMFF Regulation: Title V, chapter IV) | Operators  
Public bodies  
Others (primarily POs) |
| Production and marketing plans (preparation and implementation expenditure) | ● |
| Storage aid (for fishery products only) | ● |
| Marketing measures (e.g. creation of POs, traceability measures, promotional campaigns) | ● |
| Processing (investments; e.g. energy saving, hygiene improvement, new products, organic goods) | ● |
| Compensation for additional costs in outermost regions  
concerning fishery and aquaculture products  
(see EMM Regulation: Title V, Chapter V) | Operators (in fishing, farming, fish processing, marketing)  
Public bodies  
Others |
| Compensation of additional costs (resulting from the specific handicap of the region concerned or other type of public intervention affecting the level of additional costs) | ● |
Notwithstanding some possible specific conditions associated with the above-listed types of measures, certain operations are not eligible under the EMFF (especially in consideration of their possible effects on conservation of aquatic resources). Ineligibility particularly concerns those operations that could lead to an increase in fishing capacity, to construction of new fishing vessels or to transfer of ownership of a business. Similarly, exploratory fishing or direct restocking in general cannot benefit from EMFF support.

The EMFF may also support some measures of technical assistance for Member States (see Article 59 of the CPR) and the establishment of national networks between FLAGS.

**Measures financed under direct management**

Part of the EMFF is available to the European Commission for direct management. It must contribute to developing the Union’s IMP and to facilitating the implementation of the CFP and the IMP (table 2).

**Table 2 – Main measures supported by the EMFF under direct management**

<table>
<thead>
<tr>
<th>Priorities for EMFF budget under direct management (see EMFF Regulation: Title VI and Annex III)</th>
<th>Indicative distribution of fund</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Enhancing the development and implementation of the IMP</strong></td>
<td>(45 %)</td>
</tr>
<tr>
<td>Objectives</td>
<td>Eligible operations</td>
</tr>
<tr>
<td>- Development and implementation of integrated governance of maritime affairs and coastal affairs</td>
<td>- Studies and projects</td>
</tr>
<tr>
<td>- Development of cross-sectorial initiatives</td>
<td>- Information and communication, best practice sharing, dissemination activities, conferences, seminars, workshops</td>
</tr>
<tr>
<td>- Support for sustainable economic growth, employment, innovation and new technologies</td>
<td>- Coordination activities</td>
</tr>
<tr>
<td>- Promotion of the protection of the marine environment</td>
<td>- Development and operation of IT systems and networks</td>
</tr>
<tr>
<td>- Training projects</td>
<td></td>
</tr>
</tbody>
</table>

| Accompanying measures for the CFP and IMP | (55 %) |
| Objectives | Eligible operations |
| - Collection, management and dissemination of scientific advice under the CFP | - Studies, provision of scientific advice, expert meetings, at-sea surveys, support services, cooperation activities... |
| - Specific control and enforcement measures under the CFP | - Joint purchase or chartering of controls means (patrol vessel, aircraft...), new technologies and exchanges of data, expenditure related to control and evaluation... |
| - Voluntary contributions to international organisations | - Contribution to organisations (or preparation of new organisations) active in the field of the law of the sea and to their work |
| - Advisory Councils (ACs) and communication activities under the CFP and IMP | - Operating costs of the ACs (established by Article 43 of the CFP basic Regulation) |
| - Market intelligence, including the establishment of electronic markets | - Information and communication actions, stakeholders and experts travel costs when invited to commission meetings... |
| - Development and dissemination of market intelligence for fishery and aquaculture products by the Commission | |

The EMFF may also support some measures of technical assistance at the initiative of the European Commission (see Article 58 of the CPR), as well as some of the costs concerning the **external dimension of the CFP** (i.e. preparation and monitoring of sustainable...
fisheries partnership agreements and Union participation in regional fisheries management organisations), and the establishment of a European network of FLAGs.

Financial allocation

The EMFF allocation represents only about **0.6 % of the total 2014-2020 MFF**. It is part of heading 2 'Sustainable growth: natural resources', which also covers the common agricultural policy, rural development, and environment and climate action (LIFE), as well as EU fisheries expenditure not included in the EMFF, such as payments for international fisheries agreements and obligatory contributions to Regional Fisheries Management Organisations (RFMOs).

Out of the total €6 396.6 million allocated to the EMFF in 2014-2020, €647.3 million is managed directly by the Commission. Some €5 749.3 million is spent in the framework of the ESI Funds, managed by the Commission and the Member States together.

The distribution of the Fund between the Member States was set according to the following criteria:

- the level of employment in the fisheries and marine and fresh water aquaculture sectors, including employment in related processing;
- the level of production in the fisheries and marine and fresh water aquaculture sectors, including related processing; and
- the share of small-scale coastal fishing fleet in the overall fishing fleet.

In the 2014-2020 MFF, all Member States except Luxembourg are eligible for EMFF support.

In order to receive support from the Fund, each Member State has to fulfil ex-ante requirements, also known as 'ex-ante conditionalities' (Annex IV of the EMFF Regulation). Member States must have fulfilled their obligations under the CFP Basic Regulation to establish a national strategic plan on aquaculture and to report, each year, on the balance between the fishing capacity of their fleets and their fishing opportunities. Moreover, they must have the administrative capacity to implement specific aspects of the fisheries policy (data collection, control and enforcement).

In accordance with the principle of additionality, the EU contribution from the EMFF has to be matched with additional expenditure by the Member State. Taking into account the EMFF and the Member States’ contributions, the total support for the objectives and measures defined under EMFF in 2014-2020 amounts to €7 989.46 million. The biggest beneficiary of the Fund is Spain, followed by France, Italy and Poland (figure 2).

As with the other ESI Funds, the Member States have to draw up an operational programme including the strategy and arrangements for spending their allocation and actions to be co-financed by the EMFF. The programmes have to be tailored to the priorities of the EU common strategic framework and in line with the national partnership agreements (agreed with the European Commission and describing how an individual Member State is going to use the ESI Funds). Once the Commission approves the EMFF operational programme, the national authorities can begin the implementation phase. The process is managed in the Member States by a special Managing Authority, which also serves as a central contact point for the bodies interested in the funding.
Based on the approved operational programmes, almost 48% of the Fund in the Member States is dedicated to two out of the six main Union priorities, namely the promotion of sustainable fisheries and the fostering of sustainable aquaculture (figure 3). About €1.1 billion supports the implementation of the CFP, notably to improve the scientific basis and to support control and enforcement of rules.\textsuperscript{11}

**Figure 3 – EMFF contribution to the Union priorities (shared management)**


**Implementation progress in 2014-2020**

Due to the late adoption of the 2014-2020 MFF and the late agreement on the EMFF regulatory framework, the implementation of the Fund has been delayed. According to the Commission’s Open Data Platform, in February 2017 only 2.1% of the total (EU and the Member States) 2014-2020 allocation was decided, i.e. distributed among the selected projects, and 0.3% was reported as spent. The best progress was noted in Denmark (24.8% of the allocation was decided), Finland (17%) and Ireland (12.7%).
In order to address the frequent data gaps that appeared when the previous EU funds in support of the CFP were assessed,\textsuperscript{12} a new approach to indicators and evaluation was introduced for the EMFF 2014-2020. Based on a common monitoring and evaluation system, the approach includes a set of common indicators, evaluation plan and bi-annual reporting obligations.\textsuperscript{13} The Commission must present a first, comprehensive, mid-term review of the implementation of the EMFF to the European Parliament and the Council before 30 June 2017.

Other EU programmes and action in the same field

The EMFF contains specific provisions adapted to the objectives and particularities of the CFP and the IMP sectors. However, it also aims at complementing the ESI Funds under the CPR in supporting cohesion policy and maximising synergies between EU financial instruments,\textsuperscript{14} while avoiding double funding. Member States' operational programmes for the EMFF must include information on complementarity and coordination with ESI Funds and other relevant Union and national funding instruments.

Moreover, separately to the EMFF, the EU budget supports EU action in fisheries and maritime matters, particularly in support of the external dimension of the CFP. Therefore, €138.4 million under the 2017 budget is dedicated to the EU's participation and contributions to international bodies responsible for the conservation and the management of living resources in certain seas and oceans around the world (Regional Fisheries Management Organisations – RFMOs) and to the Sustainable Fisheries Partnership Agreements (SFPAs) between the EU and some third countries.

Endnotes

\begin{enumerate}
\item All MFF figures are based on data on the 2014-2020 MFF as established by Council Regulation No 1311/2013 (excluding adjustments) published by the Commission \cite{ec.europa.eu/fisheries/sites/fisheries/files/docs/body/national_authorities.pdf} \textit{[accessed on 10 April 2017]).}
\item The Maximum Sustainable Yield (MSY) concept on which the new CFP builds is defined as 'the highest theoretical equilibrium yield that can be continuously taken on average from a stock under existing average environmental conditions without significantly affecting the reproduction process'. MSY roughly corresponds to the largest catch of a fish stock that can be taken over an indefinite period without harming it and if other, notably environmental, conditions remain constant.
\item The 2017 allocation is divided between six budget lines: integrated maritime policy (€38.43 million), scientific advice (€8.7 million), control and enforcement (€8.72 million), voluntary contributions to international organisations (€7.97 million), governance and communication (€7.42 million), and market intelligence (€4.37 million). See the Commission implementing decision of 15 December 2016, C\textit{(2016) 8422 final}.\footnote{\textit{See notably Article 39 TFEU, Article 2 of the CFP Basic Regulation, Article 9 of the CPR Regulation, and the communication 'EUROPE 2020: A strategy for smart, sustainable and inclusive growth'}}
\item In this regard, the EMFF Regulation also establishes a general condition on the use of the Fund, by providing that the pursuit of its objectives cannot result in an increase in fishing capacity.
\item This table is provided for illustrative purposes only and cannot be considered comprehensive nor accurately reflect all provisions established in the EMFF and for its implementation.
\item See Article 16(a) of the EMFF Regulation: the criteria apply to all measures except those related to control, inspection and the enforcement system, as well as data collection (as specified in Articles 76 and 77 of the EMFF Regulation). The specific criteria for financial distribution of these measures are listed in Article 16(b).
\item European Commission, \url{www.cohesiondata.ec.europa.eu} \textit{[accessed on 30 March 2017].}
\item The list of Managing Authorities for each Member State is available at \url{https://ec.europa.eu/fisheries/sites/fisheries/files/docs/body/national_authorities.pdf} .\footnote{\textit{It needs to be recalled in this regard that the support for scientific advice and for control and enforcement measures under the CFP also benefits from a further indicative share of 30% of the around €650 million allocated from the EMFF under direct management by the European Commission.}}
\end{enumerate}
In the 2007-2013 programming period the EFF had a budget of €4.3 billion. The interim, national evaluations and the Commission’s annual reports on the implementation of the EFF were the basis for the debate on the post-2013 fisheries fund and for the proposal of the EMFF 2014-2020. In November 2016, the Commission presented an ex-post evaluation of the EFF. It analyses the results of the Fund’s interventions for different spending categories (fisheries, aquaculture, processing, common interest, community development and technical assistance). Notwithstanding the Commission’s evaluations, the European Court of Auditors assessed the effectiveness of EFF support for aquaculture. In its special report published in 2014, the Court stated that overall, the EFF did not offer effective support for the sustainable development of aquaculture.


14 See, for example, the Commission services’ guidance document on how to explore for synergies and combine EMFF with other funds.

Disclaimer and Copyright
The content of this document is the sole responsibility of the author and any opinions expressed therein do not necessarily represent the official position of the European Parliament. It is addressed to the Members and staff of the EP for their parliamentary work. Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy.


Photo credits: © lucadp / Fotolia.

eprs@ep.europa.eu
http://www.eprs.ep.parl.union.eu (intranet)
http://epthinktank.eu (blog)