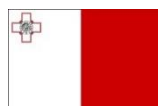


Ex-Ante Conditionalities [Update]

Monitoring Committee
11th November 2016



Maritime and Fisheries Operational Programme 2014-2020
Part-financed by the European Union
European Maritime and Fisheries Fund
Co-financing rate: 75% European Union; 25% National Funds



Investing in Sustainable Fisheries and Aquaculture

Summary: Ex-Ante Conditionalities [1]

- Two types:
 - **Thematic [Specific]** *ex-ante* conditionalities, related to a sector or policy [e.g. EMFF, R&D, Active Inclusion] and
 - **General** *ex-ante* conditionalities, which can apply to all sectors and policies [e.g. public procurement, anti-discrimination rules];
- The *ex-ante* conditionalities are **set out in the Fund-specific rules** and **reflect existing commitments or obligations that should be fulfilled** as a general rule by programme adoption at the latest;

Summary: Ex-Ante Conditionalities [2]

- In case applicable *ex-ante* conditionalities are not fulfilled (either completely or partially not-fulfilled), Member States need to indicate in their Programmes and Partnership Agreement, the actions to be taken, the responsible bodies and a timetable to ensure that they will be fulfilled at the latest by the **end of 2016**.
- If the Commission concludes that the applicable *ex-ante* conditionalities have not been fulfilled, then **interim payments may be suspended** in accordance with Art. 142 (1) (e) of the CPR by Commission Decision.

Summary: EMFF **SPECIFIC** Ex-Ante Conditionalities [3]

<i>Ex-ante conditionality</i>	Union priorities to which conditionality applies	Ex-ante Conditionality Fulfilled (Yes/No/Partially)
1 - Report on fishing capacity has been submitted in accordance with Article 22(2) of Regulation (EU) No 1380/2013.	1	Partially
2 - The establishment of a multiannual national strategic plan on aquaculture, as referred to in Article 34 of Regulation (EU) No 1380/2013, by 2014.	2	Yes
3 - Administrative capacity: administrative capacity is available to comply with the data requirements for fisheries management set out in Article 25 of Regulation (EU) No 1380/2013 and Article 4 of Regulation (EC) No 199/2008.	3	Yes
4 - Administrative capacity: administrative capacity is available to comply with the implementation of a Union control, inspection and enforcement system as provided for in Article 36 of Regulation (EU) No 1380/2013 and further specified in Regulation (EC) No 1224/2009.	3	Yes

Specific Ex-Ante Conditionalities: Actions taken

[1 - Report on fishing capacity has been submitted in accordance with Article 22(2) of Regulation (EU) No 1380/2013.]

- Following the **submission of the Fleet Capacity Report for the year 2014 on 30 April 2015**, this specific ex-ante conditionality was still considered as **partially fulfilled** as per feedback given by EC (Ref ARES(2015)2443395) on **11 June 2015**.
- EC noted and welcomed the MT action plan to improve the data quality, as identified in the Fleet Capacity Report for year 2014.
- The Commission was informally consulted during the drafting of the **Fleet Capacity Report for year 2015** and suggestions taken on board; the presented economic information was updated to cover all the requested years.
- **The report was submitted by 31 May 2016; MT is awaiting for official feedback from STECF.**

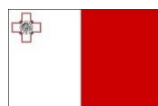
EMFF **GENERAL** Ex-Ante Conditionalities [4]

7 general *ex-ante* conditionalities, of which 4 are applicable to the OP (Section 6)

<i>Ex-ante</i> conditionality	Union Priorities (UP) to which conditionality applies	Ex-ante Conditionality Fulfilled (Yes/No/Partially)
G4 – Public Procurement	All	Yes
G5 – State Aid	All: provided that the operations under them fall outside Article 42 of the Treaty	Yes
G6 – Environmental Legislation	UP 1 and UP 2	Yes
G7 – Statistical systems and result indicators	All	Yes*

*Fulfilment of this EAC is already ensured by the data collection framework for fisheries and the EMFF's monitoring and evaluation system with common (result) indicators.

Thank you for your attention



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